

Statutory Water Bank Participant Assessment



It takes time, energy, coordination, and commitment to create a water bank. Therefore, it's helpful to understand before you begin just what it takes in terms of what is required, what is necessary, and what is optional to create a Statutory Water Bank or complete a water transaction through a water bank. This form has a list of questions for your participants to consider and answer together. For this purpose, a water transaction is defined as executing a lease arrangement between interested parties and tracking delivery of leased water.

How Participant Tasks are Organized

- 1. Required** Tasks required to complete the requirements of the statute.
- 2. Necessary** Tasks likely needed to complete the formation of the water bank or a water transaction but not explicitly required by the Statute.
- 3. Optional** Tasks helpful for completing a water transaction.

Task Review

For each task there are 5 simple questions to which your response will help your participant group to understand what can be accomplished without outside assistance and the level of effort needed.

Ground Rules for Review

- Assess for a single transaction of water
- Respond with your organization in mind but not on behalf of other organizations
- Assume there is a working definition of success between the parties, and your organization can complete the task to the satisfaction of the other parties
- Understand that if you agree to lead on a task you take full ownership to oversee the task to completion - whether completing it yourself or hiring/delegating the task to others.

1. Bank Organization Activities

Activities needed to define and establish the purpose, form, and function of the water bank.

Bank Formation Discussions

Tasks needed to determine the form of the water bank and spatial boundaries of bank activities.

Task 1a: Participate in Stakeholder Discussions Necessary

Discussions among interested parties to explore such issues as: Is there sufficient local demand to merit establishing a bank? Can the parties physically move water to where it is wanted? Is the bank organized for a specific purpose? It will generally take multiple meetings to come to consensus of key issues.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task 1b: Define Bank Service Area Required

The Act requires all water banks to define a service area that is the physical place of use where banked water rights can be used. Defining a water bank service area will include assessing local distribution capabilities, water bank goals, location of interested participants, local hydrology etc.

Having a defined bank service area is also a required component of any Change Application seeking to approve water rights for use in the water bank. Best practice will include coordination with the local Regional Engineer.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task 1c: Determine the form of leasing arrangement the bank will facilitate between interested parties Required

The Act requires a Statutory Water Bank to have a procedure detailing how the bank will design, facilitate, and conduct transactions between borrowers and depositors for the use of a banked water right. Essentially, the participating parties will need to determine what kind of leasing arrangement the bank wants to support. Examples include: a bulletin board; pooled leases; leases on an individual water right basis.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task 1d: Determine form of legal entity Required

The Act requires that a Statutory Water Bank is a legal entity under Utah law. The goal of this entity is to organize, administer, and oversee various tasks necessary to complete a transaction through the bank (generally facilitating leasing between interested parties and securing distribution of water to satisfy those leases).

This could be a stand-alone non-profit cooperation; an interlocal authority; a limited purpose local government; a program under an existing legal entity; or other form. The parties will need to determine what form of organization best meets their needs.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



2. Bank Incorporation Tasks

Bank Incorporation Discussions

Tasks needed to determine the governance structure of the water bank and to formally organize the bank as a legal entity.

Task 2a: Prepare Governance Documents Required

Applying to be a Statutory Water Bank under the Act requires the applicant provide specific information on several topics pertinent to good governance, protecting bank participants, and coordinating with the State Engineer on water distribution. Likely participants will address these issues in the organizing documents for the water bank entity. For example, non-profit articles and bylaws, an interlocal agreement, a limited purpose local government resolution or ordinance. If the water bank is organized under an existing entity the statutory criteria might be met with a detailed administrative rule or program outline.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task 2b: Review of Governance Documents Necessary

Likely any documents created and drafted by the water bank organizers will require legal review.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task 2c: Incorporate Legal Entity Necessary

Filing the proper paperwork with either the Division of Corporations, getting a local purpose government approved, etc.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



3. “Marketing” the Water Bank

Water Transaction (Match Making)

The water bank may wish to serve a role in matching up water right holders wishing to deposit water into the water bank and water users wishing to withdraw / lease water from the water bank. These activities are intended to increase use of the water bank but is not a required function of the water bank.

Task 3: Soliciting water to be leased through the bank Necessary if desired

The water bank entity may desire to proactively find water to lease and dedicate resources to the bank to do so. This would include identifying and meeting with individual water right holders who have potentially suitable rights for use in the bank service area.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

.....
Notes:



4. Change Application Coordination

The water bank must participate in the process for changing a water right to a water bank water right for use in the water bank.

A INTERNAL REVIEW OF POTENTIAL CHANGE APPLICATION

The first step in determining whether a water right is a water right that can be used in the bank service area will require at least a minimal review of key components of the water right. The State Engineer will ultimately be responsible for assessing whether a right can be used in the water bank and formally changed to a water bank water right.

Task A4a: Establish procedures for reviewing water rights deposits into the water bank Necessary

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task A4b: Review water right deposit application according to bank procedures Required

A bank representative will need to ensure the potential depositor has satisfied the bank's procedures according to submitted application materials. This is required for statutory water banks.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task A4c: Establish procedures for reviewing water right deposit applications Required

The Act requires that a statutory bank have a procedure in place on how the bank will accept, reject, and manage banked water rights, including what information a potential depositor must submit to the bank.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



B CHANGE APPLICATION PROCESS

Task B4a: Bank participation in Change Application process Necessary

A bank may want to place the onus of preparing and filing a Change Application to authorize the water right for use in the water bank with the water right holder. The Act requires statutory banks to have a procedure on how it and water users seeking to move water into the bank will coordinate with the State Engineer. Additionally, banks have a procedure on any conditions the bank may want to place of on change application. At a minimum the bank will likely need to dedicate a representative to attend several State Engineer meetings to ensure the proposed Change Application can work with bank goals and any bank conditions that are incorporated into the Change Application approval.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



5. Water Distribution Through Bank (Authority Role)

Once a water right has been authorized to be used in a water bank service area the water bank is responsible for working with the State Engineer to ensure water is delivered in accordance with the State Engineer's approvals, any internal bank policies or procedures, and lease requests.

A INTERNAL REVIEW

Task A5a: Understand and note conditions of approval on Water Rights **Required**

The State Engineer will issue a State Engineer's Order on each Change Application approval. The Bank will need a representative to review and understand those approvals to inform what is possible for internal leasing (i.e. if a SEO cuts a water right back by 15% then the bank needs to know only 85% of a water right is available; or if a water right can only be used in the spring season then the bank will know that water is only available to lease in the spring).

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task A5b: How to address requests to keep at the heretofore place of use Required

Once a water right has an approved Change Application authorizing the right to be used in the Bank, the Act allows for water users, if allowed by water bank rules, to choose an on annual basis whether to participate in banking activities and use their right inside the bank service area or at the original place of use. This allows water users the greatest amount of flexibility and reduces administrative costs for multiple change applications.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task A5c: Compliance with Interlocal Agreements/Coordination with Parties

Necessary

Using and distributing a water right in the bank service area may require ensuring the transfer complies with relevant interlocal agreements and coordination with the other parties to the agreement.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



B STATE ENGINEER COORDINATION

The State Engineer and the local water commissioner are ultimately responsible for ensuring water is delivered according to the conditions of local applications. However, having local distribution orders that include annual bank leasing activity will require some additional coordination between a bank representative and the State Engineer.

Task B5a: Timely deliver approved lease amounts to State Engineer to include in distribution plan **Required**

A bank representative will need to know how much water the bank has secured leases for each year and will need to coordinate and deliver to the State Engineer information on how much water the bank intends to lease through the bank and under water water rights for the year.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task B5b: Meet State Engineer Distribution Office on agreed distribution plan Required

A bank representative will likely need to meet with the Regional Engineer on at least an annual basis to ensure that the proposed distribution plan accurately reflects leased water through the bank.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



C MONITORING

Generally, monitoring a system comes either through the State Engineer's River Commissioner complying with and implementing a distribution order or individual water users ensuring they are receiving what they need.

Task C5a: Bank physically check meters or meter reads to insure instream flows met Optional

The bank may wish to take a more active role in monitoring the water delivery activities of leased water, such as physically checking meters, reporting data to the State Engineer, and/ or monitoring the State Engineer's information to make sure water is being distributed in a way that satisfies leases and is in accordance with the distribution plan.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



D ENFORCEMENT

Task D5a: Review information and Inform the State Engineer of a distribution issue **Required**

A bank representative will need to periodically review available delivery information and inform the State Engineer if there are any issues with water not being delivered according to approved change applications and distribution orders. The bank representative will also need to inform water bank participants impacted by the issue.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task D5b: File State Engineer Enforcement Action against those taking water in contradiction to distribution schedule Necessary if it occurs

If distribution and delivery issues persist, the water bank may need to file an enforcement action with the State Engineer requesting action. Any State Engineer enforcement actions will need to be reviewed and tracked.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



6. Water Lease Administration

A GENERAL LEASING TASKS

Task A6a: Draft Leasing Form Document Required

Bank representatives need to draft procedures and an application document for processing requests to lease water from the water bank. This document may include the following: (1) required lease application information, (2) a time frame for review of the application, (3) lease pricing terms if applicable, (4) water user/bank responsibilities for coordination with the State Engineer, etc. Procedures for lease application review will need to include how multiple competing lease applications will be processed.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task A6b: Advertise administrative fee for processing lease applications Optional

Bank representatives may wish to set a fee in the leasing application document that allows the bank to recover costs associated with review and processing of lease applications.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



B ONGOING LEASE ADMINISTRATION

Task B6a: Announce leasing to be open to potential lessors **Required**

A bank representative will need post information to let the public know that water is available for lease from the water bank, and that the bank is open for accepting lease applications.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task B6b: Passive Matchmaker - distribute lease forms to potential lessors Required

A bank representative will need to collect complete lease applications for processing according to bank leasing dates and timeframes. A bank representative will need to review all collected lease applications to ensure they are complete and to begin the internal process of reviewing the applications. If it appears water from a bank deposit can be used to satisfy a lease application, then a bank representative needs to inform the applicant of approval subject to water availability.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task B6c: Assist applicants in completing lease form if they have questions Optional

If the statutory bank is taking a more proactive approach of finding and assisting potential lessors, then it might take more bank resources to work with potential lessors on completing a leasing application.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



7. Pricing

A PRICING

Task A7a: Determine procedure for pricing annual leases Required

The water bank needs to establish an annual procedure for pricing leases from the water bank. The procedure may allow bank depositors and lease parties to negotiate privately or may desire to set a process for establishing a set price for annual bank leases. The bank will need to coordinate with the parties to record that lease price for bank recording purposes.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



8. Bank Administration

A OFFICE

Task A8a: Point of contact for water bank Required

The bank will need to designate a single point of contact to field public questions and assist bank participants in navigating the banking process. This will include designating someone to answer emails, phone calls, etc.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task A8b: Mailings or copies of bank materials Required

The bank will need to designate a party to take care of routine administrative tasks like house files, send mailings, etc.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



B FINANCIAL SERVICES

Task B8a: Escrow & billing services Optional

If the bank wanted to play a more active role in the transaction, it could offer financial services and process the payments between lessee and lessor. This could include holding lease payments in escrow until deliveries took place or providing invoicing and billing statements to lessees and payments to depositors.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



C RECORD KEEPING

Task C8a: Record Keeping **Required**

A bank representative will need to keep records of the lease price or value exchanged for leased water to include in annual reporting to the Board of Water Resources.

A bank representative will also need to keep records of other items such as volume leased through the bank, number of participants, and other information required in a Report to the Board of Water Resources.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



9. Annual Report to Board

A ANNUAL REPORT TO BOARD

Task A9a: Tabulation of deposits, delivery requests, actual deliveries. Financial reporting **Required**

A bank representative will need to keep records of the lease price or value exchanged for leased water to include in annual reporting to the Board of Water Resources.

A bank representative will also need to keep records of other items such as volume leased through the bank, number of participants, and other information required in a Report to the Board of Water Resources.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task A9b: Report writing and submittal Required

A bank representative will need to compile all of the collected data and write an annual report to be submitted to the Board of Water Resources. That report must include items listed in Utah Code. Reference: https://le.utah.gov/xcode/Title73/Chapter31/73-31-S401.html?v=C73-31-S401_2020051220200512

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



10. Bank Funding

Bank Funding

Task 10a: Money for operation Required

The bank participants/organizers will need to determine how to pay for bank activities, including in-kind services, seeking additional funding, self funded through application fees and services.

Does your organization have the expertise to complete this task?

- Yes
 No

Does your organization have the capacity to complete this task?

- Yes
 No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



11. Complaint Resolution

A COMPLAINT RESOLUTION

Task A11a: Respond to complaints according to bank procedures Required

The Act requires statutory banks have procedure on how it will resolve complaints. A bank representative will need to be designated as the point of contact for complaints and tasked with overseeing the processing of a complaint according to bank procedures.

Does your organization have the expertise to complete this task?

Yes

No

Does your organization have the capacity to complete this task?

Yes

No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



Task A11b: Legal Consultation Necessary

Likely a complaint will require consultation with an attorney, most participating entities will have access to legal counsel in some capacity. Are their organizations who would “host” this legal time to ensure the bank has complied with its grievance procedures.

Does your organization have the expertise to complete this task?

- Yes
- No

Does your organization have the capacity to complete this task?

- Yes
- No

How many hours do you think this task will take?

What is your level of engagement for this task?

1. **Lead:** I/we want to undertake and be responsible for this task.
2. **Support Capacity:** I/we are willing to help another organization in a support capacity.
3. **Capable:** I/we have the skills and capacity but prefer to not be responsible for task.
4. **Not interested:** I/we are not interested.
5. **No Expertise:** I/we do not have the technical skills to achieve this task.

Notes:



You've completed the Participant Assessment

Considering the discussion topics and the responses, determine next steps with your participant group.

Find additional resources at water.utah.gov/water-marketing.

