

**MINUTES OF THE  
STATE WATER DEVELOPMENT COMMISSION**  
Monday, June 13, 2005 – 11:00 a.m. – Room W135 House Building

**Members Present:**

Sen. Thomas Hatch, Senate Chair  
Rep. David Ure, House Chair  
Sen. Gene Davis  
Sen. Mike Dmitrich  
Rep. Craig W. Buttars  
Rep. James R. Gowans  
Rep. Bradley T. Johnson  
Rep. Patrick L. Painter  
Mr. Larry Anhder  
Commissioner Leonard Blackham  
Mr. Irvin Haws  
Mr. Dallin Jensen  
Mr. Darrell H. Mensel  
Mr. Dale Pierson  
Mr. Michael Styler  
Mr. Ron Thompson

**Members Absent:**

Mr. Tom Christensen  
Mr. Don Christiansen  
Mr. Ivan Flint  
Mr. Tage Flint  
Mr. Chris Fullmer  
Sen. Peter C. Knudson  
Rep. Brad King  
Ms. Dianne Nielson  
Mr. Paul Riley

**Staff Present:**

Brian Allred, Policy Analyst  
Jeanenne B. Larson, Associate General Counsel  
Joy L. Miller, Legislative Secretary

**Note:** A list of others present and a copy of related materials can be found at [www.le.utah.gov](http://www.le.utah.gov) or by contacting the committee secretary, Joy Miller, at 538-1032. A recording of the meeting is available from the committee secretary.

**1. Commission Business**

Chair Ure called the meeting to order at 11:10 a.m. Mr. Christensen, Mr. Ivan Flint, Mr. Tage Flint, Sen. Knudson, and Rep. King were excused from the meeting. Members of the Commission and staff introduced themselves.

**MOTION:** Sen. Hatch moved to approve the minutes of the September 16, 2003 meeting. The motion passed unanimously.

Mr. Allred referred the Commission to "Duties of the Water Development Commission" which was included in the mailing packet. He briefly discussed the Governor's Water Delivery Financing Task Force, established by Governor Olene Walker, which will be making its recommendations to the Natural Resources, Agriculture, and Environment Interim Committee later in the year. That report could also be made to the Commission.

**MOTION:** Rep. Johnson moved to request that the Governor's Water Delivery Financing Task Force and the Tax Reform Task Force report to the Commission in September on their recommendations for funding of water development projects. The motion passed unanimously.

**2. Projected Water Demands and Potential Water Development in Utah**

Mr. Larry Anderson, Division of Water Resources, gave a presentation on projected water demands and potential water development in Utah. He said that future water needs will be driven by population growth and will be met by local suppliers continuing to develop water, conservation, conversion of agricultural water to M&I use, and new large water development projects. Mr. Anderson reviewed the phases of the Bear River Development Project which is estimated to cost \$260-\$550 million, depending on the extent of the project. The Lake Powell project would deliver water through a pipeline from Lake Powell to Sand Hollow and is estimated to cost \$340 million, \$450 million if it is extended to Cedar City.

### **3. Update from the Governor's Water Delivery Financing Task Force on Strategies for Financing Bear River Development and the Lake Powell Pipeline**

Mr. Richard Ellis, Governor's Water Delivery Financing Task Force, stated the Task Force was created to determine the state's role in the development of the Bear River and the Lake Powell Pipeline and how those projects should be financed. It is apparent that the local governments will require help from the state to finance these projects. It is important to finance upfront costs immediately in order to have a significant investment when the projects are begun. He reviewed the financing options that have been considered by the Task Force. The final report of the Task Force will be available in August.

### **4. Discussion of Undeveloped Water and Potential Changes to Water Development Policy**

Rep. Brad Johnson distributed "Undeveloped Water and Potential Changes to Water Development Policy." He commented that Utah needs to encourage more small and intermediate sized water projects. He stressed that undeveloped water in the Colorado River needs to be made available for development. Current laws and state regulations discourage water development.

Mr. Jim Fauver, Castle Valley Ranch, distributed "Independent Canal Company / Flood vs Sprinkler Irrigation." The company developed a sprinkler system which is felt to be more efficient than irrigating. However, he was informed by the state engineer's office last year that he was watering 377 acres more than what he was adjudicated. Consequently, they are no longer able to water lands that have been developed for years. He said there should be some way for them to become more efficient and utilize their water source.

Mr. Jerry Olds, State Engineer, indicated that the basin in question needs to be considered in its entirety. He noted that there are public entities holding approved yet undeveloped water in that basin. A public agency can hold a water right for 50 years and it is considered to be reasonable and due diligence. After 50 years it must demonstrate a need for the water. There are a number of old water rights that are approaching the 50-year period.

Members of the Commission requested that the following information be obtained and discussed in a future meeting:

- A list of those who have older water rights on the Colorado River, the expiration date of the water right, and a total of the water appropriated under those rights
- A breakdown of how the money received from the 1/16 percent sales tax earmarked for water development is expended
- The criteria that an entity must meet in order to demonstrate a need for the water

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**MOTION:** Sen. Hatch moved to adjourn the meeting. The motion passed unanimously.

Chair Ure adjourned the meeting at 1:10 p.m.