

Price (7/16/2013) Breakout Session

Bob Morgan – Water Law

- Big difference between the six-county urban areas of the state and the rural counties. They operate very differently. Only one meeting of the task force in southeast Utah while lots of meetings in the urban areas. Lots of driving was necessary to attend the rural meetings.
- Dense urban populations result in much money spent getting rural water to urban areas. Urban folks are politically connected and have money to put into projects that get water. Rural folks are not, “water hungry.” For rural folks water is for survival.
- Discussions on water projects occur when lots of water is available and urban areas get water from rural areas. During drought, urban areas still expect to get water to the detriment of rural entities.
- In general, rural representation is lacking on water policies; this especially includes the legislature.
- The rest of the discussion was centered on individual water rights questions and participants could not be redirected to provide inputs to the task force.

Dennis Strong – Maintenance, Infrastructure & Funding

- The canal is 110 years old, people have spent a lot of volunteer time & money on canal diversion. Loses water to seepage (20-30%) and theft, some have gone through some heartache.
- A couple canals go over Mancos shale and lose a lot of water.
- It would cost \$70 Million to pipe the canal. If we could pipe the first 8-10 miles, it would really help, so pipe parts of it, especially get past the weak areas. Canal companies don't have the cash flow to handle those types of projects.
- It's a private system asking for public money.
- The county has been good at providing help and equipment.
- Dennis stated the Legislature will discuss canal safety. Ag has a lot of needs but not a lot of money.
- CIB funding has been a blessing, the district has used CIB funding, but it carries interest. Half Grant half loans from DDW have really helped the district.
- Storm events are hard to deal with, ice jams, accidents off the highway, contamination from the railroad, fires, they face a lot of issues. A vehicle falling into river contaminates the water, diesels, cement trucks have fallen in. Hazardous waste is transported along highway and if that falls in it would be a disaster. ECDC is transporting semi-toxic waste along the river, the railroad is also a concern.
- They need to pipe the vulnerable areas at a cost of \$20 Million
- We need local legislators to fund things and we even need funding at federal levels. We have all been praying for a smaller federal budget but that also means we won't get as much water funding.
- Everyone has been trying to conserve.
- There is a need for money for new infrastructure, need automated gate at Schofield, but how can they get the money?

- We have identified a \$20 Billion list, there is a lot of need. We can help at DWRe. The old way of funding projects may not be effective enough in the future, we may need to raise rates. We have to figure out a process, the way we've done it may not work in the future.
- Get rid of tax anticipation and the cities need to be able to save water without losing it to other projects.
- Cities shouldn't be borrowing money from banks every year. We need to change the rules so cities can save money for future projects and the public is encouraged to submit written comment. The infrastructure scares the public.
- Water rates need to triple or quadruple to meet the MAGI rates.
- They plan to raise rates, they are looking at loans, and some state money would help.
- LPP is a huge expensive project, \$30 million could totally change the Moab water system. The state focuses on big projects and the little projects are forgotten. There was a discussion about how property taxes can help in some ways, but Moab doesn't have property taxes.
- State revolving loans have been critical to small communities. Need to protect and enhance state funding for smaller projects. Salinity money has helped a lot.
- There is a need for water banking.
- Excess water used to go to farms, but nowadays so many people sell their water rights and there is not enough water in the canal to get to the end. There are problems with Wellington Canal.
- A third of the farms are now subdivisions.
- Irrigation companies can make their bylaws and include a fee when water is moved from one use to another.

Tage Flint – Delivery and Water Efficiency

- There is a concern for funding of large projects. "Take or pay" contracts are not conducive to conservation. Wants economic incentives for conservation. Expenses for users who conserve should decrease rather than stay the same. Reduced costs for upgraded irrigation controllers as an incentive. Some people want to see incentives for conservation.
- What are primary concerns for Weber Basin over the next several decades? Who funds Ag to M&I conversion and is it really conservation oriented. What really happens when water rates go up?
- A suggestion was made about moratoriums on growth when basin water allocations are reached.
- How efficient is secondary water use? What incentives are there to go to secondary water systems?
- What are our water rights entitlements?
- We need reasonably priced water.
- Reuse in the home?
- Xeriscape everywhere is likely in 50 years. We will look like Arizona or Las Vegas.
- There are problems with Federal water quality regulations on for reuse.
- Funding for infrastructure replacement is a concern.

Tim Hawks – Water and the Environment

- Gooseberry Project funding. They have approval to move ahead with project, but if they don't find funding within 15 years, the project will likely never be built.
- Power plant up Price Canyon will be shut down soon and it would be good to see some of the water rights associated with it remain in the stream to support fish habitat. Currently, the river runs dry through much of the winter in this location, so it would be nice to get an instream flow out of it when the plant shuts down. The Price River is a blue ribbon fishery in some locations and with that situation resolved it could really be good. PacifiCorp has been very cooperative and have called for water in the past to help keep water in the stream.
- Water is a real issue in this area, especially with Sanpete County looking to construct the Gooseberry Narrows Project. That project will cause additional strain.
- Can't stress enough the protection we need for our watersheds. The fire in Seally Canyon is an example of how our forests are being mismanaged. We need some common sense and reality to enter into the management decisions being made.
- Need to take power back from the legislative and judicial bodies.
- We need to attack funding sources for environmental groups. They shouldn't be allowed to participate in judicial decisions when they have participated in EIS and other related decisions.
- The mess in Huntington Canyon started with the Bark Beetles and not allowing dead trees to be selectively removed in the forest.
- Environmentalists have created a fear for the worst case scenario that may have no basis in fact. All actions needs to be based on the science, not these fears.
- Need to build more storage reservoirs in those areas where water is available. But to do so is too difficult in today's world of environmental obstruction, etc. Issues include difficulty with building dams on federal land, they will say no right off the bat. Then there are dam safety issues.
- We can't even build a small pond because of the cost of dam safety regulations, etc. These regulations are triggered for structures as small as 19 acre-feet. It is a sad situation.
- We need to streamline our environmental laws and base them on common sense.
- The Forest Service is complacent in letting the Sealy Fire get out of hand. They monitored it for three days before they did anything. They also claimed it was contained within 30 minutes of them claiming it was contained. This should have never happened. The Forest Service needs to see what happens to Huntington Creek any time it rains. Huntington Creek was a pristine jewel in Utah and now look at it.
- Other states do a much better job designating and managing fisheries. No one size fits all approach as we see in Utah.
- Scofield Reservoir drops down to dead pool one year in seven today. With Gooseberry, they estimate it would one in three.
- Lack of water measurement is an issue. We don't even know what we have today in many instances.
- Difficult for a rural water user to put a water right into a conservation easement. We reward those who want to put land into a conservation easement, but not those who want to put water rights into such easements. Even a short horizon, like 20-25 years would be valuable for such a

right. It doesn't have to be permanent. We may need to rewrite Utah's water law to achieve this kind of thing.

- I worry about what will happen to Utah's water if the economic forces at play drive the whole process. We need to find a way to protect rural water rights especially from the development demands and market forces out there. Balancing the demands on our water resources, providing more flexibility would be helpful.
- We need some legal innovation in order to avoid the ultimate market-driven forces or outcomes that are not the most desirable in preserving what we enjoy today.
- If we allow too much urbanization and interbasin transfers, without tools to help rural areas preserve their resources, we are headed for a train wreck of sorts.

Warren Peterson – Water for Agriculture

- Need to measure water and use it to improve management.
- Watershed damaged by fire.
- Major concern was expressed about moving water out of the basin.
- There is some worry about policies that are attempting to be set.
- Most things are already measured in their system.
- Applications to government agencies for sprinkler systems are difficult to fully fund.
- Water development for rural communities and reservoirs in lower portion of watersheds.
- Worried about not being able to get water to property. Every property should have a valve.
- Salinity causes problems in piping systems.
- Everyone should be involved. Be aware of the legislation, proposals, deals, etc... that are being proposed, and let your voice be heard.
- Canal companies are not working together well enough.
- Foresight of potential threats from environmental groups over endangered fish spawned the San Rafael and Muddy Creek Watershed Study.
- Alignment of conservation districts by county are not good and there is a need to develop more storage.
- Gang of six should be well represented by those with agricultural backgrounds.
- There are a lot of good watershed management projects that BLM is involved with.
- Infrastructure is very important, but maintenance is necessary.
- Water is far less funded than transportation.
- Moving to pipe is not looked at as conservation, but just debt.
- Many piping projects were put in improperly in the first place. Piping properly installed works well. It's hard enough to do the project in the first place, and more difficult to do it right.
- Working in phases may help. Funding should be available for correcting project errors.

Voneene Jorgensen – Competition for Water

- In Moab there are many competitive uses for the water. For example, agriculture, residential use, tourism, etc. Tourism adds a huge demand and greatly affects the GPCD number. Planners need to look at the big picture and gain knowledge on how much water is really there.
- Scofield Reservoir concerns, Silt buildup, maintenance to sprinklers on farms, the need to pipe more.
- Public thinks that if they conserve, the water will be taken to another area and they do not want the water to be diverted to somewhere else. Don't take water out of area. Any water conserved should be theirs. Keeping the water in the area is essential for residential, business, and economic growth.
- Canals need to be piped but funding is necessary.
- Maintenance of existing infrastructure is necessary.