

Richfield (7/9/2013) Breakout Session

Bob Morgan – Water Law

- Is there a state law that prevents a municipality from selling water shares in an irrigation company?
 - You can't sell water rights, but can sell shares.
- A lot of questions about how the municipality can get water for future use.
 - Property without water is fairly useless.
 - Water should not be forfeited.
 - Current law made sense when water was available, but it doesn't make sense in today's environment where most rights are purchased.
- It is time to get rid of diligence claims- adjudication would get rid of these.
- Selling water shares to a developer without approval from an irrigation company- A company can make it very difficult, but I don't think they can prevent it.
- How come the state agencies don't follow Utah water law when they file for water?

Dennis Strong – Maintenance, Infrastructure & Funding

- Sevier River Water Users interested in canal lining and improving efficiencies. Concrete lining is not the answer. Would like Water Resources to recommend lining. Laser leveled land is 3% better efficiency than sprinkler.
- Has a solution for funding canal safety improvements. Recommends creating special taxing zones 1,000 feet each side of the canal. Taxes collected in these zones could be used for canal safety improvements. Property owners that encroach on the canal right of way are a major portion of the problem.
- Problems are: wasting water from leaking infrastructure, pipes bursting. Washington County has new pipes. Cedar City has some really old cast iron. Dennis talked about a leak detection report that is in the process of being published.
- Considers canal safety an unfunded mandate. Canals are first line of defense against flooding and should not have a special taxing district. Cities own a lot of water in the canals and wouldn't be cooperative if new taxes are proposed. Likes revolving loan program. Thinks collateral requirements are too tight for some projects to be built.
- Can see some good coming out of this. We are using projects paid for by our fathers. Projects we do will be for those who come after us. Would like funding like the US Bureau of Reclamation used: Agriculture pays based on their ability to pay, public pays for public benefits.
- Concerned about funding and replacing infrastructure. Cities have right to condemn water rights and not put them to use.
- What are hurdles/thoughts on Narrows Project?
 - Three individual farmers trying to find ways to fund water system improvements. They could form a mutual irrigation company. Collect rain water in 1500 gallon tank. Mine in Emery County pumping 4,000+ gpm of water from mine and sending it down Quitchupah Creek, Muddy Creek, and the Dirty Devil River.

Tage Flint – Delivery and Water Efficiency

- Who wastes more water, Agriculture or M&I, price should reflect upon wasters. If people want to pay for what they use then the price structure should reflect use and overuse.
- Turf water uses not the issue, people's application style is the issue. Step rate structure should be implemented to promote conservation.
- Landscaping reduces energy consumption within the structure it surrounds.
- Meter secondary water use.
- Psychology of water use.
- Analysis of water from top to bottom to assess the effectiveness of the water efficiency project.
- Know what is possible within the legal constraints of the systems.
- The need of adjudication of systems (areas) to determine just how much water is allocated and available.
- Canals not lined losing a lot of water.
- Local people should pay for local projects.
- Fund projects differently.
- Water infrastructure key to Utah's growth, maintaining and building new, what is the cost of updating existing infrastructure and putting in new infrastructure?
- Could be using water better in the Agriculture world and do water efficiency projects actually benefit the farmers?
- Water project funding and being able to re-pay the amounts borrowed.
- What money is available for long term planning based on Agriculture use projections?
- More efficiency means more water stays in the reservoir.
- Leakage in canals reaches the stream does a more efficient use mean less water for downstream water users.
- Does it make sense to give same benefit to Agriculture land areas as far as paying for efficiency projects?
- How long to pay back and will the project fulfill its design.
- Agriculture development moneys to help farmers get their full production.
- Update old systems to make them more efficient at tracking their water supply and use.
- Control of the water creates more efficiency.
- SCADA systems are efficient. More efficient systems not only save water but they save energy and time. No need to drive to remote locations if a system can verify key points via handheld devices. More sophisticated systems also help resolve conflicts.

Tim Hawks – Water and the Environment

- Dam's ownership & administration are blocking fishing access.
- Dams are blocking fish movement.
- Water users/claimants are diverting all water and drying up streambeds.
- Environmental groups do not provide any monetary support toward water conservation.
- Government stops development because of environmental group concerns.
- Environmental requirements are met only because of the threat of legal actions.
- We need better co-operation and balance between environmental groups and water development groups.
- Point source pollution is a result of irrigation.
- Irrigation requirements shouldn't dry up the stream.

- There should be more co-operation between water users & environmental community.
- Desert is encroaching because of phreatophyte depletion.
- Snake Valley water to Vegas will lead to desert encroachment there.
- City people need education on Ag. (hamburger comes from a farm).
- Climate change is a result of water use.
- Protect the water of outlying areas.
- Interbasin transfer of water brings disaster.
- We need riparian areas.
- Endangered species are just an excuse for “who gets the money”.
- Education should address a wider scope concerning natural resources.

Warren Peterson – Water for Agriculture

- It will be sad day when it finally gets to a point that we are out of food before people worry about water for agriculture. Most people in agriculture are doing what they can to conserve. Melvin Irrigation has cement ditched all the major ditches. Agricultural is important and should be supported more. Even with growing population in urban areas, the agricultural water should be preserved. We should encourage conservation in agriculture and utilize the existing supply the best we can.
- Owns agriculture property but has a problem with water being confiscated by the city/community if you sell any of your land. This happens all over the state. If the farm is no longer operated then the city will supply water to it but if it is in operation then water is taken from the farmer. This is a double standard. Suspicious of people from Delta.
- For a farmer, conservation is a top priority. With the help from conservation districts and NRCS, farmers by converting from flood irrigation to sprinkle become more efficient. Towns should move more toward xeriscaping. Conserve what water we have and don't send it off to any other place.
- Came to listen but very concerned about agriculture water. It feels like there is a target on their back (agriculture water users). Can't eat the blue grass in the urban area.
- Who is representing agricultural? Isn't water like money? It part of the economy. You can print money but you can't print water. Water helps the economy but if we bankrupt the water it's gone before it can increase the economy. We eat to stay alive = Food & Water. Keep water in production. There has to be some growth and development as well. Be real serious about the water and how it is handled.
- More funding for water. If you don't have the money for your projects you are just dreaming. Funding should come from the state since they have the lion's share of interest. Forest service is mapping all the watersheds for a Federal Reserve water right. Utilize water as efficiently as we can.
- 75%-80% of state water is used for agricultural but there are large demands coming in the future. So the demand will likely come from agriculture. Only 300,000-400,000 of the Colorado River water is going to CA and Mexico. This is still not enough for the population growth. Why don't our cities look like Arizona or Las Vegas? 70% of our fruits and vegetable comes from China. There should be more incentive for farmers to increase the number of farmers in the United States.

- In the future the only place we can look from water in the future is Canada. 50% of the world's potable water comes from Canada. The nation's water experts predict that 38 states will face drought in the future.
- We talk about growing food instead of bluegrass. The cost of water prohibits farming on a small scale. City ordinances require business to use grass in landscaping.
- Bring water from Canada. Commissioner from San Pete inspired me. All water comes from our watersheds. All of our watersheds are in national forest and federal ground. It seems to me, we have lost sight of that implication. State engineer has placed all live stock diligence rights in the name of BLM and Forest Service. Those managers have assumed they have a water right and filed claims. We should shore up our primary water rights. I don't like the way our watersheds are being managed. Fire in Huntington canyon has caused a big problem with debris runoff. We have made repeated efforts to mitigate the problem before the next rain storm (debris basin). The forest service and BLM has turned their back on us.
- Issues with beetles coming in and leaving dead trees. Environmentalist stopped the use of those dead trees. Different policy don't let it burn and let it burn have consequences. When you sit on a committee your voice should count.
- Forest service said the runoff from the fire debris was not their problem. The cost associated with the fire debris is \$200,000. Money is available (\$8,000 from State of Utah and \$2.5 million from NRCS) but due to the Forest Service and BLM we are not able to use that money. We need to be proactive and control impact of the let burn policy. Educate the legislature.

Voneene Jorgensen – Competition for Water

- Identified a problem land slide near Mayfield. Called for a need to change the language and mindset related to the term "Dams". She indicated that storage of water is important.
- Presently operating near 99% efficiently. The development of the IPP power plant provided a good model for development. Water depletion relating to both sellers and users works best when the underlying intent is to make all parties whole.
- A citizen brought her two granddaughters to the microphone with her to emphasize the point that water should be preserved for future generations. She also said some choices like "strip mining tar sands" are "stupid".
- Concern about interest in Utah water from those outside the state. Was further concerned that sometimes answers to specific questions mislead or are not honest.
- Concerned about interest in Utah water from those outside the state. Also concerned that sometimes answers to specific questions mislead or are not honest.
- We need to set priorities.
- A man from Ephraim commented that since communities can bank water for later use, they have advantage over agricultural users which lack the ability to bank water. Concern was expressed about the dwindling strength of agriculture.
- We need to protect current water rights. Agriculture people are the best environmentalists. While opposed to out-of-state water transfer, he believes the Lake Powell Pipeline is both needed and justified.
- A citizen spoke about a water district in Northern Utah which had been using 50 cfs reduced that use to just 36 cfs with piping a canal.

- Concern over inter-basin transfer. Water should be used where it is. Some basins within the state should be closed to future water development.
- Current water laws need to be followed. Proper terminology should be used. Water conservation does not mean that water is saved. Reservoirs are needed.
- We should consider a watershed perspective. Trees use a lot of water.
- We should develop water when we can.
- We need to make new reservoirs and line canals.
- Knowledge of groundwater needs to be had before approving further development. Great interest in groundwater but it needs to be well understood to avoid over-appropriation.
- Offended when potential water users imply that agricultural water users waste water. Flood irrigation often contributes to downstream uses of water. We need to be 'stingy' with our water, use it for Utah. Utah water should be used for Utah. 50% of global potable water is in Canada. Being told that water could be used to greater profit in other than agricultural uses is offensive. Farmers are very efficient.
- Need to not refer to agriculture but call it 'green space'.