

WASHINGTON COUNTY

WATER CONSERVANCY DISTRICT

CIRPAC Meeting Summary May 15, 2014

The following pages contain a summary of the presentations and discussions from the WCWCD Community Integrated Resource Planning Advisory Committee Meeting of May 15, 2014.

These pages, together with the presentation slides, constitute the meeting record.

533 E Waterworks Drive
St. George, UT 84770
435-673-3617
wcwcd.org

Committee Members in Attendance

- Barry Barnum, Community
- Larry Blake, Rancher
- Kit Bowler, Banker/Rancher
- Dave Clark, Banker
- Paul Clove, Businessman
- James Eardley, Washington County
- Tracy Ence, Development
- Murray Gubler, Chamber of Commerce
- Mary Jo Hafen, Santa Clara City
- Chris Hall, Community Citizen
- Chris Hart, Ivins City
- Scott Hirschi, Economic Development
- David Isom, Health Care
- Floyd Jackson, Contractor
- Dick Kohler, Architect
- Natalie Larson, Realtor
- Carol Sapp, Community
- Brad Seegmiller, Southern Utah Title Company
- LeAnn Skrzynski, Citizens for Dixie's Future
- Don Stratton, Vision Dixie
- Scott Taylor, St. George City
- John Wadsworth, Farmer

Committee Members Absent or Excused

- Austin Anderson, Southern Utah Home Builders Association
- Larry Bergeson, Education
- Lee Bracken, City of Enterprise
- Ty Bringhurst, Toquerville Citizen
- Lawrence Snow, Shivwits Band of Paiute
- Darin Thomas, City of Hurricane
- Travis Wilkinson, Small Business
- Karl Wilson, LaVerkin City

District/Committee Staff Members in Attendance

- Ronald Thompson, General Manger
- Barbara Hjelle, Associate General Manager/Counsel
- Corey Cram, Associate General Manager
- Roberta McMullin, Executive Administrator
- Karry Rathje, Public Information Manager
- Brie Thompson, Chemical Engineer
- Tina Esplin, Legal/Administrative Assistant
- Judie Brailsford, Public Outreach
- Dr. John Brailsford, Facilitator

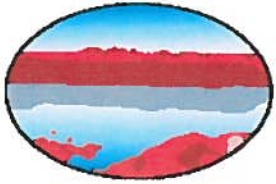
Other Attendees

- Connie Martin, Hurricane City
- LeAnn Skrzynski, Citizens for Dixie's Future
- Gary Engleman
- Lisa Rutherford
- Paul Van Dam
- Waid Reynolds
- Mari Smith, Southern Utah Home Builders
- Kathy Baxth
- Susan Crook
- Nicole Warner, The Boiling Springs
- Noel Anderson

(Some names are spelled as nearly as legible)

1. Welcome

Dr. John Brailsford welcomed the committee and visitors and turned the time over to Ron Thompson to give an overview of current water and legislative issues.



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2. Presentation

Water conditions and 2014 legislative overview—Ron Thompson started out by going over the current data for Washington County and the percentage increase from 2013 to 2014, showing there has been a lot going on in this county in the last year.

Ron talked about the legislative initiatives worked on this year and shared his insights.

Jensen Fix - A couple of years ago, there were two cases that significantly affected the water community in some areas. One was the

Jensen case. Traditionally in Utah, if the state engineer felt like a change application applied to water that had not been used, they would forfeit the water right. The Jensen case essentially said the state engineer doesn't have the power to do that. It is a power of the courts to decide. That has created a great divide in the water community, and there has been a legislative attempt to fix it. The state engineer would obviously like the authority. It is probably not an issue we see a lot in Washington County, but there are a number of water rights that haven't been used for decades that if now put back into the system would disrupt the overall water system as it presently stands. Some entities require the developer to bring a water source with them when they develop, so the developers try to resurrect every water right with not a great concern regarding the delivery of the water rights. The cities want one outcome and the farmers want another and some of the districts are sitting on the fence, but it has sharply divided the water community.

Washington County Data

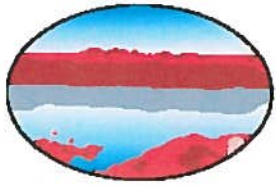
| | <i>current</i> | <i>% increase 2013-2014</i> |
|---|----------------|---------------------------------|
| New single-family residential units permitted | 1,798 | 28.1% |
| Employment | 59,477 | 6.7% |
| Employment growth | 3,262 | 93.5% |
| Businesses | 4,441 | 3.1% |
| Personal income | \$4.14 billion | 4.8% |
| Taxable retail sales | \$2.3 billion | 8.1% |
| Transient room tax (tourism) | \$4 million | 10.4% |

Big Ditch – This is a similar case mostly unique to Salt Lake City. It has to do with someone who had exchanged a water right to the west side of Salt Lake and now they want to move that water right back up into the canyon. The court seems to be willing to rule that they had a water right at one time that may have been there and they traded it out and they have a right to do that, but it has been very controversial.

Canal Shareholder – The issue poses the question: Does a shareholder have a right to water to some other use outside of the operational jurisdiction of the canal company? The current law generally allows this to be done, but the canal company board has to work out an agreement to transfer and they have the right to work it out, but if they don't, the only remedy is for the shareholder to sue to get the transfer done. So, pragmatically, small shareholders have to sue the canal company to move the water and the big shareholders can stonewall the small shareholders, and it has become a significant issue.



Source: Applied Analysis, May 13, 2014



Rain Water Recapture – Legislation was passed this year which allows the capture of rainwater without having to have a water right.

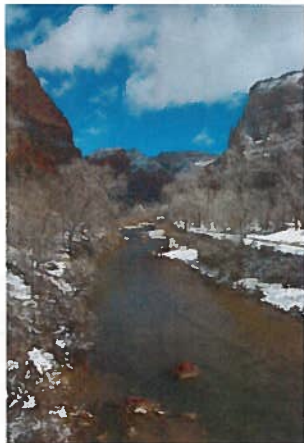
Ron said, “As we look at the water conditions, all are an averaged percent of normal, and conditions are pretty stark and as dry as we have seen in a long time.”

He said, “The Virgin gage is the big gage we rely upon as we divert water and manage water resources. If we take all the data, the average flow is 197 cubic foot per second (cfs), which really means there is an awfully lot of water in the winter and spring runoffs and maybe not so much in the summer, and the median is 166 cfs. Most years are much dryer than normal. Then there are two big anomalous years, 2005, which

was probably the wettest year on record, and 2011. But, overall, there are a lot of dry years in this 20-year record, which is certainly troubling as we look at long-term available water supply because our straw is all in one source right now and our one source seems to be diminishing.”

Ron explained the Colorado River Basins and the 1922 Compact. He said, “The Compact allocated 7.5M af to each of the upper and lower basin divisions. When the compact was done, it was pretty clear that they had been looking at a hydrograph that was much wetter than normal years. Pragmatically, there is only about 6M acre foot (af) of water that

Current Water Conditions

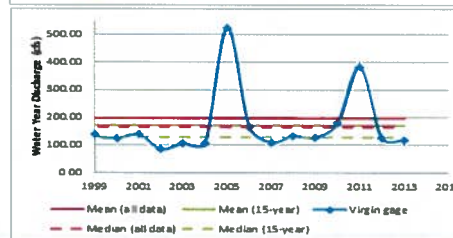
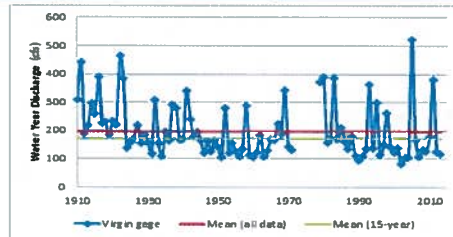


Southwestern Utah Basin

| | % of average |
|---|--------------|
| Snowpack | 23% |
| Seasonal accumulation (Oct – April) | 53% |
| Soil moisture | 64% |
| Reservoir storage | 40% |
| Virgin River surface water supply index | 17% |
| Virgin River (near Hurricane) stream flow | 22% |
| Santa Clara River stream flow | 20% |

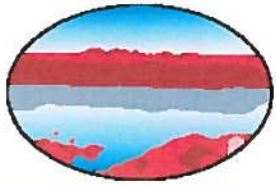
Source: Natural Resources Conservation Service, Utah Water Supply Outlook Report, May 1, 2014

Virgin at Virgin Gage Data



| | Mean (cfs) | Median (cfs) |
|----------|------------|--------------|
| 15 year | 171.17 | 128.10 |
| 20-year | 176.74 | 134.95 |
| 30-year | 173.60 | 137.05 |
| All data | 197.68 | 166.20 |

is really available on average to the upper basin states. The basins are each entitled to 7.5M af on a rolling average, plus half of the water required to meet the Mexico treaty. That really means about 8.3M af of water should be sent down to the lower basin. Over the last 15 years, we have sent 8.8M af of water to the lower basin even in the drought that we



About the Colorado River

- Upper and lower basin each allocated 7.5 million acre feet of river water a year in the 1922 Colorado River Compact
- Upper basin states adjusted allocations to 6 million acre feet to compensate for water shortages
- Lower basin states use in excess of their allocation
- 88% of the total annual flow in the Lower Colorado River Basin originates from Colorado, Wyoming, Utah and New Mexico



Source <http://www.usbr.gov/lc/region/g4000/contracts/watersource.html>

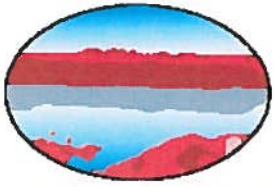
have experienced over the last 16 years, but Lake Mead continues to go down. The lower basin states have continued to deplete the lower basin, taking 9.6M af out of Lake Mead with required water coming to them of 7.5M af, so there is a structural deficit that continues to be a problem. When the upper basin states realized there is less, they allocated their water supply based on percentages in the upper basin. The lower basin just took the amount of water at Lee's Ferry and allocated 100%, not taking into account the several hundred miles between reservoirs and the point they take the water along with evaporation loss. Also, California developed its Compact water first and when Arizona came along and wanted support for the Central Arizona project, California was able to extract an agreement to subordinate Arizona and Nevada's water right to

California so when there is a shortage, 100% comes out of Arizona and Nevada's allocation and none out of California. Needless to say, there is a fair amount of contention between those states."

Ron asked, "What about climate change? Does the fact that we are seeing a decline in the amount of water available have something to do with a long-term trend of less water? These systems are not producing the same kind of hydrology they have historically. We are seeing more early snow, more rain on snow in the winter. The models that are being done by the Bureau of Reclamation are forecasting about an 8% decrease in the total water available to the upper basin. They are also working on a model for the Virgin River suggesting spring runoff to occur six weeks early and more rain and less snow, which could potentially create problems in terms of our off-stream reservoirs. There is also a new report out forecasting a 40% reduction of available water in the southwest so there is cause for concern. The forecast right now for Lake Powell is it will come up 50 feet with spring runoff and another 25 feet over its current elevation in another year. Utah is allocated about 1.4M af with about 400,000 af presently unallocated. Out of that, 86,349 af has been allocated for the Lake Powell pipeline (LPP) project."

Ron showed the comparison of the Virgin River versus the Colorado River and said, "As you can see, the LPP will give us much more diversity and security in our water supplies especially if climate change and the modelling forecasts are correct."

Ron gave an update on the LPP. He said, "We are seven years into the preliminary design and federally required environmental studies and are hoping to file the draft Environmental Impact Statement with the Federal Energy Regulatory Commission by early 2015. It will then take two years to get their record of decision and permits and another two years to finalize the design after their record of decision. Construction is scheduled to start in 2020 with an estimated minimum time to build of four years with water deliveries expected by 2025/2030. These kinds of projects require money and take decades to build."



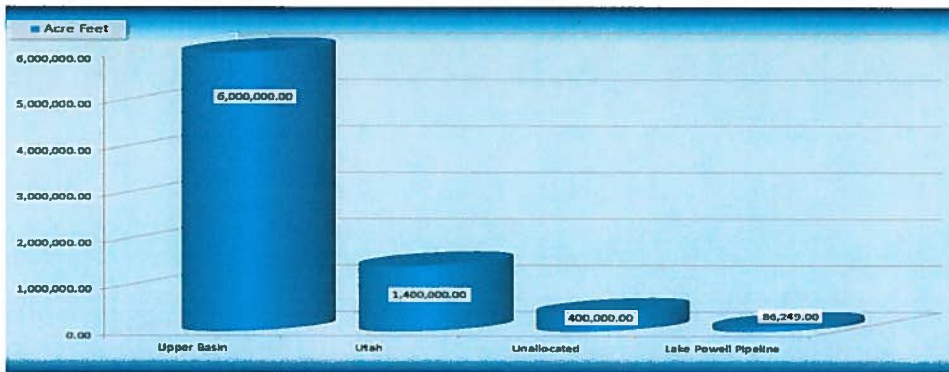
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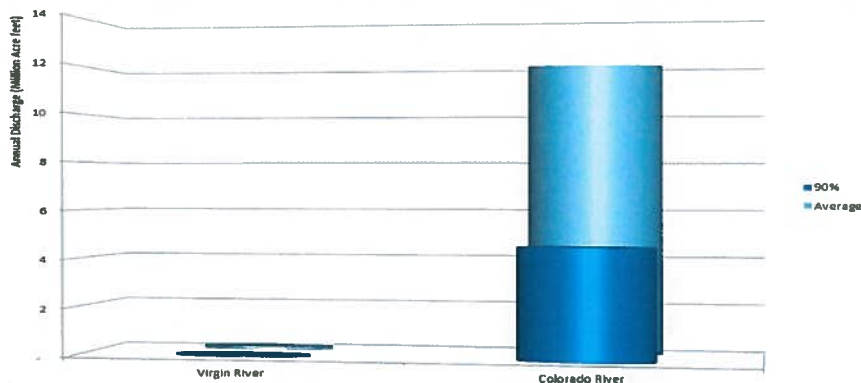
Ron gave an update on other district projects. He said, “We are working on the Sand Hollow regional pipeline that will take water from Sand Hollow to the south end of Washington and St. George. Right now we are very dependent on the regional pipeline that brings water from the

water treatment plant at Quail Creek all the way to Snow Canyon. We have a big water supply at Sand Hollow, but we don’t currently have transmission to move that water, and this pipeline will solve that by providing another way to deliver water into the south end of St. George and Washington City. With the Ash Creek project, we plan to build a pipeline from the Ash Creek reservoir at Black Rock along I-15 and pipe that water to a reservoir just off the freeway in Toquerville. We hope to wrap up the environmental issues on this project this fall. We are working on the Warner Valley reservoir that will take the very brackish Washington fields water and store it for secondary uses in that area. United States Geological Society (USGS) claims the LaVerkin hot springs produce about 110,000 tons of salt each year, and they have been doing tests on the springs, observing the groundwater levels, discharge and hydrologic system responses, modeling the hydrologic system and evaluating the salinity control options to see whether there is an economical way to collect and treat the springs without a huge economic impact. Some of the district’s conservation activities include Water Week where there is a garden fair, a water walk, water treatment plant and wastewater treatment plant tours and a water fair where we bring about 2,000 fourth grade students to Dixie College for water-related activities and education. We have a community garden and a desert garden that will be fully functional by fall. We have conservation rebates for Water Sense toilets, Water Smart commercial upgrades, Water Smart irrigation and multi-family and commercial high efficiency washing machines.”

Colorado River Allocations

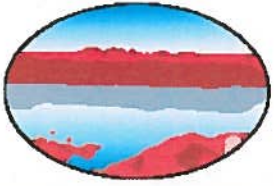


Colorado vs. Virgin River



3. Conservation work group report—Dr. John Brailsford

John Brailsford explained, “A water conservation work group was formed to examine in-depth our water conservation efforts and specifically to update the Washington County Water Management and Conservation Plan, which was originally drafted in 1996 and revised in 2010. There are 15 members in the work group with representation from the cities and county, education, builders, nurseries, agriculture, businesses and environmental interests. It was determined that this



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group would focus on the conservation plan only and not water management.” Corey Cram said, “The water resource management part of the plan is going to be addressed in the district’s new Capital Facilities Plan. Water management involves new water treatment methods, water rights, legal needs, financing, environmental, etc. that all has to come together. We look at geology and geography, and it is a challenge to construct and move water around. It also involves technology, planning, water resource development, construction, operation, conservation programs and water quality issues. The LaVerkin hot springs deposits 110,000 tons of salts a year, and creates a major water quality issue. All the easy water has been developed so the challenges get more and more complex as time goes on.”

John turned the focus back to what the conservation work group is doing. He said, “Another term for saying water conservation is wise water use and taking that resource and using it in such a way where we gain the most benefit. With that, we cooperatively wrote a mission statement: “Washington County citizens using water wisely, conserving and working together to sustain our community, will preserve our quality of life, fulfill our environmental stewardship, and assure the availability of water in the future.” This statement is the guide to our goals and objectives. Over the next several months, this work group will be meeting to work out the details on how to meet these goals and objectives now and into the future.

4. Public Comments – no comments

5. Meeting conclusion and adjournment

Adjourn

The meeting was adjourned at 5:42 p.m.