

July 25, 2017
Utah Water Users Association
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Editor: Carly B. Burton

MESSAGE FROM THE PRESIDENT
By Jay Mark Humphrey

Boy this summer has been hot and dry. It was a very nice spring with a great snow pack that ran off just about right. The reservoirs filled and streams were full. It couldn't have been much better than that. June and July was another story, it is very hot and dry. The crops grew and grasses dried out. Now its midsummer with dried grasses on our range lands and little moisture. We are using more water now because of the hot temperatures and little precipitation. I hope everyone survives the summer and gets some summer rain. Good Luck

WATER OUTLOOK
By Troy Brosten

Well here we are, it's about 14 days past the 4th of July and it is HOT out there! You know it's hot when 94 degrees feels like a cool down. Let's review water year 2017.

Northern Utah had a fantastic snowpack year with above normal numbers throughout the melt out period. As of May 1 snowpack numbers ranged from 128% to 180% of normal. The Bear River Basin had a particularly great year. Since March 1 Bear Lake has gained over 666 KAF (it's not a scary number) to 1,207,089 acre-feet as of July 1.

Southern Utah started out above normal but then took a thumping later in the season resulting in an early runoff period with average flows prompting reservoir managers to capture as much water as possible because there wasn't much to catch later. Snowpack

numbers on May 1 were above normal in central Utah with 140% on the Price and San Rafael and 119% on the San Pitch. Most of the southern basins were near normal conditions ranging from 96% to 104% with the exception of the Upper Sevier at 86%, Escalante at 26%, and southeastern Utah nearly melted out.

Most of the reservoirs filled or came close to it. The bigger reservoirs banked some extra water with Bear Lake at 93% and Strawberry Reservoir at 86% capacity as of July 1. There were a few reservoirs that didn't do so well due to below normal snowpack conditions such as Upper Enterprise at 35%, Panguitch Lake at 57%, Piute Reservoir at 60%, and Sevier Bridge Reservoir at 28% on June 1.

Streamflow in southern Utah has peaked with many flows receding to or currently at base flow. In northern Utah there are still a number of rivers and streams along the Uinta's and within Bear River Basin that are still well above average flow.

So let's sum it up. There's very few patches of snow to no snow left, reservoirs are at 84% and drawing down from summer use, streamflow has peaked and dropping to base flow, soil moistures are at 36% in the valleys, 45% in the mountains and dropping, precipitation for the past month has been below average at 37%, and did I mention it's HOT. That's good if you're a desert lizard but not so good if you're a rainforest gecko. The three month climate outlook (Climate Prediction Center) calls for above normal temperature and equal chances of precipitation.

easement located on their property must first obtain permission from the easement owner.

Summer Weather Outlook
By: Brian McInerney

The 2017 water year started out a bit slow, went into high gear, and then retreated at the end. Northern watersheds fared the best with almost all reservoirs filling and in some instances pass through an entire content of the reservoir to avoid a flood scenario. Mid Utah was drier, but still fared well, while the Virgin and the Sevier were not as fortunate.

The most surprising part of the runoff with regard to peak flows came in the form of 4 peaks beginning in February, ending in mid-June. December and January were generally cooler than average allowing accumulations to occur without any melting, and then we ran into February. The first half of February saw temperatures skyrocket to an average of 16 degrees above average, prompting a massive melt off of low elevation snow. This melt fueled field flooding across a great deal of Box Elder and Cache County. The second and third peaks in March then experienced record daily maximum flows across the North. This excessive premature melt was fueled once again by very hot temperatures for that time of year.

Typically, if you experience premature melt, your runoff becomes very inefficient. However, this year's snowpack moving into February was near 200% in some of the Northern drainages. The loss of the low elevation snow took a small toll, as we filled reservoirs throughout the area. Southern watersheds made up a bit of ground but ended lower than hoped for.

So at this time, we're wondering what the 2018 water year will bring. Hopefully, if this year was any indicator we may be moving into a wet cycle for a couple more years. With that said, don't bet the farm just yet.

WATER & THE LAW
CANAL RELOCATION
By Nathan S. Bracken
SMITH HARTVIGSEN PLLC

The Executive Water Task Force has convened a subcommittee to work with representatives of the developer community to discuss the possibility of enacting new legislation on canal relocations.

Under current Utah law, property owners who desire to relocate a canal or ditch

Canal companies are often concerned that relocations, if not done properly, could increase operation and maintenance costs, impair flows, and create greater liability. As a result, some canal companies require that certain conditions be met, including costs or fees and adherence to design specifications, before a property owner can relocate a water channel. Some property owners, however, have expressed concern that some companies' conditions are too onerous or burdensome.

The current discussions on this issue stem, in part, from Senate Bill 271, which Senator David Hinkins introduced during the 2017 Legislative Session. Although the bill did not pass, it would have essentially authorized property owners to unilaterally relocate a water channel unless: (1) the relocation would impede the flow of water in the channel or inhibit the channel owner's use of water in the channel; or (2) violate applicable laws, ordinances, or construction standards required by the State. Property owners would be required to pay for the relocation costs. Canal owners would have then been charged with the responsibility and liability for the operation and maintenance of the modified water channel.

S.B. 271 raised some questions and concerns among canal owners and others within Utah's water community, particularly with respect to the ability of canal owners to ensure that relocations would not impair their operations or increase costs or liability. The subcommittee is working with the developer community to address these concerns. For more information or to provide your perspective on this important legislation, please contact one of the following:

- Nathan Bracken- Smith Hartvigsen PLLC
- Chris Bramhall - Kirton McConkie PC
- Steven Clyde - Clyde Snow & Sessions PC
- Scott Lilja - Fabian VanCott
- Scott Martin-Snow Christensen & Martineau
- Warren Peterson - Farmland Reserve, Inc
- Jonathan Schutz-Mabey Wright & James PLLC
- Mark Stratford - Ogden City
- Jody Williams - Holland & Hart LLP

MESSAGE FROM THE DIRECTOR

By Carly Burton

Update on Bear Lake & Lake Powell

What a great spring runoff throughout Utah. This was especially true in Northern Utah. Bear Lake rose to elevation of 5922.32 feet, an increase of an amazing 11.7 feet. The lake is currently only about a foot below the historic high of 5923.65 feet. This is the highest physical rise in the lake in over 100 years so that is a great record and is equal to a volume increase of about 840,000 acre feet. The other great news is that although the irrigation allocation for 2017 was 245,000 acre feet the actual demand from Bear lake storage will be very low, maybe 25,000 to 30,000 acre feet. This is good news for the irrigators, PacifiCorp who manages the lake, the Bear lake interests and the recreationists who enjoy the lake.

Now for Lake Powell. I am also amazed at the rise in Lake Powell this year. The lake peaked at elevation 3635.80 feet on July 11, 2017. This represents an increase of 42 feet but the lake is still about 65 feet below full. The inflow was 10.2 million acre feet or 110% of average. Even with this large increase, Hite Marina is still 10 feet higher than the current lake level. Let's just hope that most of that water can stay in Lake Powell although part of the stored water will have to be released to Lake Mead as part of the equalization agreement agreed to by the basin states.

Utah Dept. Of Forestry, Fire & State Lands-Bear River Comprehensive Management Plan

The draft management plan for the Bear River in Utah became available for public comment in May, 2017. This plan is based on

the state's assertion that the Bear River is a navigable stream and, as such, the bed and banks of the river is sovereign land owned by the State of Utah and administered by the Utah Dept. Of Forestry, Fire & State lands (FF&SL). Initially, pre-draft information showed that the Bear River would be managed by FF&SL for navigation, fish & wildlife habitat, aquatic beauty, public recreation and water quality. The draft plan acknowledged the importance of agriculture in the local economies of Cache and Box elder Counties and would be given equal priority with the other beneficial uses under the plan. The deadline for public comment on the draft plan was July 7. FF&SL has indicated that a permit will be required for every irrigation pumper on the Bear River who has pumping equipment and piping on the river bottom or on the banks. This may require permits for over 100 irrigation pumpers in Cache Valley alone.

These stakeholders are anxiously awaiting the final plan to become available to the public. The permit negotiations will be occurring over the next 2 years once the final plan is completed. We will keep you posted on developments.

Utah Water Summit Conference

The Utah Water summit is scheduled for October 24, 2017 at the Utah Valley Convention Center in Provo. The Summit Committee is finalizing the agenda so that information can be mailed out by early September. The theme for this year is "Optimizing Utah's Water Assets to meet Future Water Needs". We have a great program lined up with topics including an update on the Governor's Water Strategy Plan, meeting future agricultural water needs through conservation initiatives, future M&I water needs, infrastructure needs of water districts, funding options to meet future water needs, and the water outlook. We look forward to seeing you there.
