



# UTAH WATER USERS ASSOCIATION

**January 20, 2020**

**Utah Water Users Association**

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**Editor: Carly Burton**

## **MESSAGE FROM THE PRESIDENT**

**By Gene Shawcroft**

Dear Friends,

Over the last few months, many of our career-long water leaders have made the difficult decision to retire. In the next few months undoubtedly, others will make that decision as well. These dedicated leaders have spent their entire professional careers making advancements for better and safer distribution and delivery of water across the state. As I think about these talented and committed men and women, I am extremely grateful for their wisdom, knowledge and expertise to guide Utah's water world in a very positive direction. I am grateful for their willingness to share these skills with others who have followed in their paths. During my career I have looked to these water buffalos (with all due respect) for sound guidance and direction. It has been a great blessing to have the opportunity to be mentored by them.

Looking to the future, our industry is attracting some very capable people who will more than ably fill big shoes and continue to make decisions that will provide more and safer water as our population increases. For those of us farther down the path of our careers, I ask that

we go out of our way to pull some of these younger folks under our wings and give them a jump-start as they move along in their careers. I also ask the younger folks to reach out to those from whom you'd like a little advice or direction. The issues we face continue to be more complex, more expensive and yes, more political. Sharing knowledge and experience will make overcoming these challenges more achievable. Let it snow!

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## **WATER OUTLOOK**

**By Jordan Clayton**

"Utah's snowpack for this winter is off to a good start! As of January 1st, the snow water equivalent (SWE) measured at our SNOTEL sites was 129% of normal statewide, with all major basins above 100%. Southwestern Utah is off to the best start so far at 229% of normal, with the Escalante and Southeastern Utah regions close behind at 195 and 190% of normal, respectively. The Bear River and San Pitch watersheds are faring the 'worst' but are still doing fine at around 106% of normal. With about 90 days remaining until our typical peak SWE, our snowpack statewide is roughly 140% of what it was at this time last year.

Precipitation levels started off slowly this water year but have improved substantially; current statewide precipitation is 95% of average. Generally-speaking, southern Utah watersheds are above 100% and northern Utah basins are below 100% of normal precipitation (except for the NE Uintas). The slow start to this water year's precipitation combined with an extremely dry summer has resulted in dry soil moisture levels in the state- currently only 41% of saturation (or roughly 80% of normal). Where soils are drier, snowmelt runoff efficiency will be reduced. Streamflow forecasts for April to July, which balance the high SWE values against the lower precipitation and soil moisture levels, are generally between 80 and 95% of average, with some higher flows predicted for southern Utah.”  
-Jordan

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**National Weather Service  
By Brian McInerney**

As of the second week of January, our weather pattern has been active. We did have a brief period of about 5 weeks around late October, which brought the terrible inversion and associated bad air quality, but since then Mr. Inversion has been absent. Four major storm cycles have moved through Utah since late October, two of which were Atmospheric Rivers. An Atmospheric River is a heavily moisture laden airmass about two miles deep, and 300 miles wide. The first Atmospheric River we experienced this year brought Southern Utah's snowpack from basically zero to over 200% of average. Granted it was early season, but one storm can be a game changer, and we've had several this year.

Looking forward, model guidance indicates the pattern is anticipated to remain active through the third week of January. After that, we don't have a good feel for what's in store, but we'll take average to above average snowpack, cold temperatures, and active weather until then.

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**Water Banking Legislation (S.B. 26)  
By Nathan Bracken, Smith  
Hartvigsen, PLLC**

Senator Jani Iwamoto and Rep. Tim Hawkes have introduced S.B. 26 to create a water banking program in Utah. A water bank is a market tool that facilitates the voluntary, temporary transfer of water rights from one use to another. Most other western states have some form of banking, and the bill would further a number of recommendations in the Governor's 2017 Recommended Strategy, which identified water banking as a possible tool to support agriculture while also providing water for urban and environmental needs in the face of Utah's growing population. The bill also responds to S.J.R. 1, which the Legislature passed during the 2019 General Session to request water banking legislation to consider during the 2020 session.

Since 2017, a diverse group of over 70 stakeholders representing agriculture, publicwater suppliers, conservation groups, and other interests developed the legislation by studying various basins throughout Utah and reviewing water banking programs in other western states. The group also met with water stakeholders in dozens of meetings throughout Utah to solicit comments and feedback on the legislation.

Based on its outreach efforts, the group determined that in order to be successful in Utah, water banks must be voluntary, temporary, and local. To support these goals, the bill would create the framework for a 10-year pilot program that would authorize water right holders to create and manage water banks for their local areas. Ideally, this would allow water banks to be specifically tailored to their regions' unique conditions and needs. During the pilot period the banking program would be monitored, evaluated, and modified as needed. The Board of Water Resources would oversee the creation and operation of water banks while the State Engineer would regulate water rights deposited in a bank.

The banking program is intended to build upon and utilize existing Utah law as much as possible. For instance, to deposit a water right into a bank, a right holder would file a change application pursuant to the current process. Similarly, Section 73- 3-3.5 of the Utah Code would require shareholders seeking to deposit a water right into a bank to first obtain approval from their water company. The State Engineer's Office has also indicated that it would only approve the consumptive portion of a water right for use within a water bank and that it would impose conditions where necessary to govern the right's use within a bank to avoid impacts to other users. Once the State Engineer approves a water right for use within a bank, the right would be available for others to use for a variety of uses, including water quality and environmental purposes. For more information, please see: <https://utahwaterbank.org/>.

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## MESSAGE FROM THE DIRECTORS

### CORNER By Carly Burton

#### Utah Water Users Workshop

I can't believe how time flies these days. Here we are frantically getting all the documents ready for the Utah Water Users Workshop, scheduled for Marcy 16-18, 2020 in St. George.

We have another great program lined up this year with 59 topics, the most we have ever assembled. There are topics on water rights and legal issues, water resources and supply, water quality and a range of related topics. You can find the brochure with all the information on our website at [www.utahwaterusers.com](http://www.utahwaterusers.com). Just click on the Workshops title at the top of the page, scroll to 2020 workshop and you can get into the brochure. Remember, all registrations are being handled by USU Conference Services. You can register at <http://conference.usu.edu/uwuw/> or you can call them at 435-797-0421. There will be a golf tournament and a bike riding event on Monday, March 16. Early registration ends on February 11 at the lower rate. Fees will increase after that date. Also, hotel reservations must be

made by February 15 at the lower rate for the rooms that were blocked. After that date the rooms will be released. If you need additional information please e-mail us at [carlybarbaraburton@gmail.com](mailto:carlybarbaraburton@gmail.com) or call us at 801-560-2533. We look forward to seeing you there.

### Legislative Update

It's that time again and the 2020 session is starting on Monday, January 27. I have listed the water related bills that are on the legislative docket at this time.

- HB28 - Legislative Water Development Commission Sunset Amendments
- HB39 - Agricultural Water Optimization Task Force Amendments
- HB40 - Water Loss Accounting Act HB41 - State Water Policy Amendments
- HB94 - Water Application Amendments
- HB95 - General Adjudication Water Amend.
- HB96 - Water Forfeiture Amendments
- HB105 - Water Facilities Amendments
- HB156 - Water Amendments & Education
- HB168 - Public Water Supplier Relocation Amendments
- SB26 - Water Banking Amendments
- SB51 - Secondary Water Requirements
- SB52 - Agricultural Water Use Amendments

We will be following these bills closely in the weeks ahead. If you have any comments, questions or concerns please contact us at 801-566-0736 or email us at [carlybarbaraburton@gmail.com](mailto:carlybarbaraburton@gmail.com).

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