

Escalante Valley Water Users Ground Water Management Plan

May 24, 2011

Ground Water Management History

- “ 2006 - The legislature passed revisions to the ground water management law. (Safe Yield)
- “ 2007- The State Engineer began the process to create a ground water management plan.
- “ 2009 - Legislature passed a Moratorium to stop funding for activities related to Beryl/Enterprise
- “ 2009 - New State Engineer was hired - Kent Jones
- “ 2010 . The legislature passed laws to allow for a ground water Management District.
- “ 2011 . The new State Engineer requested that water users proactively engage in the process of developing a ground water management plan.

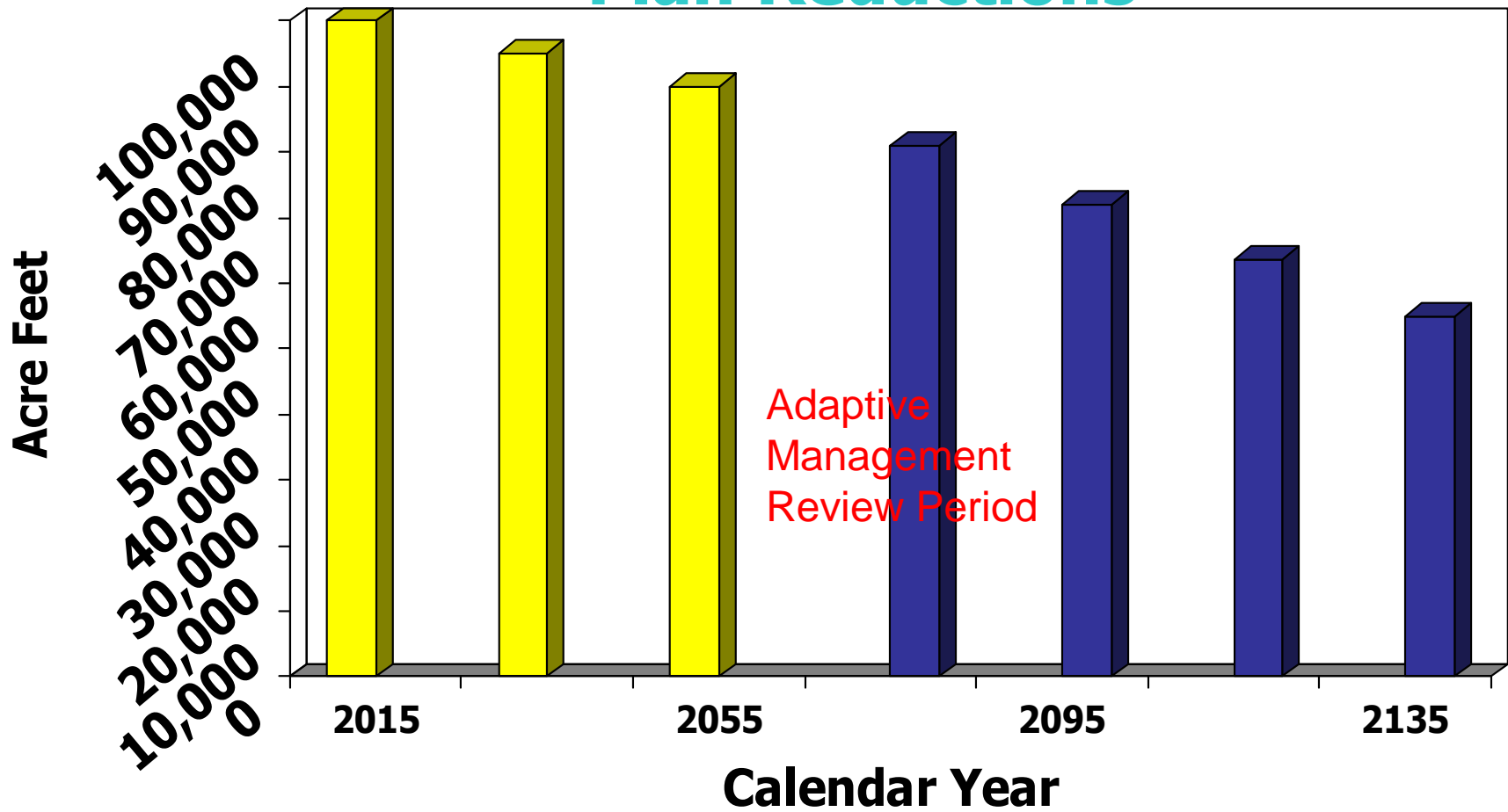
Key Water Legislation Language

- “ The State Engineer **“may”** develop a ground water management plan and **“shall”** consider **“economic impacts”** and allow **“gradual”** implementation.
- “ A ground water management plan can include **“voluntary arrangements”** by the local users.
- “ The law requires a public process with **“input”** from the users and others
- “ **Statute 75-5-15 section 4, b and c**

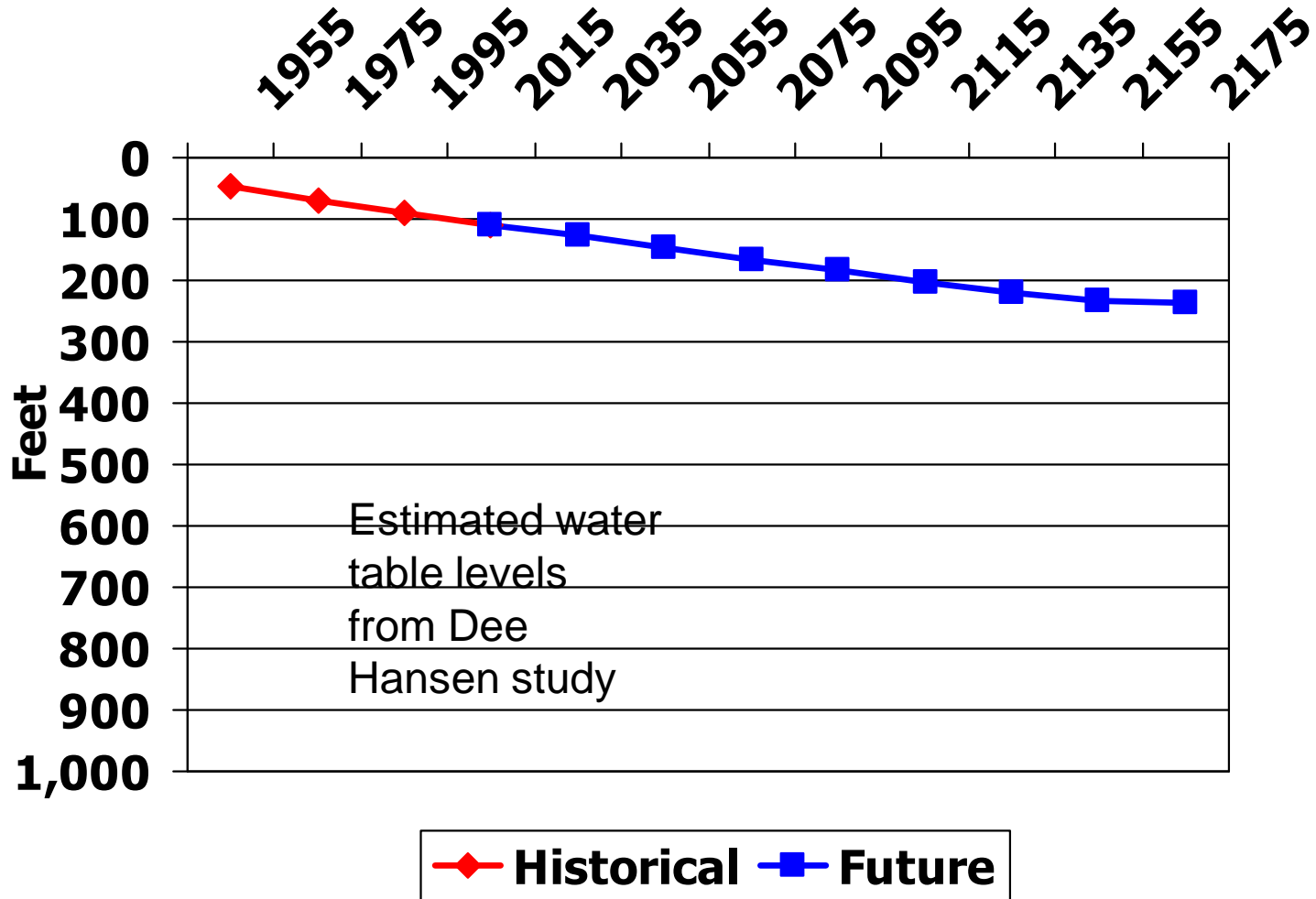
Proposed Ground Water Management Plan

- “ Water users will agree to ~~6%~~ collectively cut water use or acreage by 5% over a 20-year period 2015 - 2035.
- “ Water users will agree to a additional 5% cut by 2055.
- “ Water users will agree to additional cuts over the next 80 years to achieve an additional 35% reduction by the year 2135 to achieve water table stability.
 - . ***This plan reaches the safe yield objective, protects the water resource and allows for the economic impacts to be adequately addressed.***
 - . ***This plan will also include an adaptive management provision so as to allow revisions to the plan as ground water conditions change in the future.***

Proposed Ground Water Management Plan Reductions



Escalante Valley Average Ground Water Decline



State Engineers Plan

- “ Create a ground water management plan for the Beryl/Enterprise area to achieve safe yield
- “ Absent a voluntary arrangement, the State Engineers plan would cut water use by acreage priority date.
 - . This doesn't solve the culinary issue.

Options to be Considered

- “ Voluntary arrangements or pooling of water rights to collectively achieve the necessary water use reductions.
- “ The forming of a water district to manage the ground water management plan and facilitate funding requirements for economic stabilization
 - . One idea is to create a buy back option and seek zero percent loan funding from the State so that water rights can be purchased when they become available and held by the district.

Options to be Considered cont.

Municipal & Culinary Water Rights

- “ One option to consider is to ~~protect~~ protect+existing municipal and culinary water rights.
 - . Municipal/culinary water rights are at risk.
 - . Irrigation users could absorb the reductions.
 - . Municipal and culinary water right owners could participate in the funding of the reductions.
 - . full use of water right for financial participation

What Are The Pros and Cons of a Water District?

” Pros

- . Facilitates voluntary arrangement - culinary
- . Can seek funding through loans and grants
- . Allows for water banking
 - ” Retention of water rights
- . Local control vs. typical water conservancy districts
- . It unites the water users

” Cons

- . Administrative & Legal costs to create
- . Taxation ability if needed
- . Governance . Board . elections/appointed
- . Super majority control

Where Do We Go?

- “ We need a water management plan that meets the objectives of the water law statute and protects the economic interests of the water users, the local community and State.
 - . The committee has negotiated with the State Engineer to develop a plan that creates a win-win solution.
 - . The plan may require the use of a special water district to facilitate the administrative and financial objectives.
 - . Water users should have a vested interest in protecting the underground water resources and agree that the do nothing approach is not a viable answer.