

**Mt. Nebo Water Agency Meeting
January 15, 2015**

Board Members: Chairman Warren Peterson, Goshen Valley; Vice Chairman Gene Shawcroft, Central Utah Water; Richard Davis, Spanish Fork City; Randy Brailsford, Salem City; Larry Ellertson, Utah County (alternate); Marty Larsen, Strawberry Highline Canal Company (not a director nor an alternate, but was present to represent High Line's interests as a non-voting representative); Rick Moore, Payson City.

Board Alternates: Steve Leifson, Spanish Fork City; Tyler Coon, Goshen Valley, Soren Christensen, Salem City;

Technical Committee: Chris Hansen CUWCD; Richard Nielson, Utah County; Rebecca Andrus, Salem City.

Staff: S. Junior Baker, Shelley Hendrickson, Steve Clyde, Marcus Faust (via telephone).

Public present: Calvin Crandall, David Robertson, Bonnie Roos.

Co Chairman Gene Shawcroft called the meeting to order at 7:33 a.m.

Public Comment

Gene Shawcroft invited public comment. There was none.

Report on Sub-Committee

- a. **Policy concerning water protests**
- b. **Notice of Groundwater Change Application January 7, 2015**

Randy Brailsford explained that he was struggling to set up a date and time when everyone could meet. Discussion was held regarding a date and time for the sub-committee to meet. It was determined that the first meeting would be held on Wednesday, January 21, 2015 at 7 a.m. at the Salem City offices.

Randy Brailsford said that one thing that he would like to have on the agenda and discuss is that the sub-committee's role is to bring information to the Mt. Nebo Water Agency Board to see what the existence of the Agency is and what the Agency Board is going to be doing. He expressed he feels the role of the Agency is to protect and preserve the water in South Utah County and to make sure that the resource is there today and in the future. One big issue that he is having a hard time with is developers and cities bringing dry paper water (rights) into this valley. Is the water there and is it going to be there? Do we start protesting? These are things to be thinking about.

**Chairman Peterson arrived at 7:37 a.m.*

Chairman Peterson asked the people, present at the meeting, to introduce themselves.

Adoption of Minutes

Discussion was held regarding Warren Peterson's changes to the minutes.

Line 60 of the minutes replace the word "something" with 'Regional Water Demand Study'.

Randy Brailsford **moved** to **approve** the November 17, 2014 minutes with the noted changes. Larry Ellertson **seconded** and the motion **passed** with all in favor.

Strawberry High Line Assessment Report

Chairman Warren Peterson explained, with regard to the letter that was submitted to the Agency from the High Line Canal Company, that he and Tyler met with Marty and other representatives of the High Line Canal Company and heard their concerns on the Agency's assessment. He left the meeting with the understanding that it is not a fatal showdown but that there was need for the High Line to meet and act on whether it would pay the assessment. He would suggest that there not be any action taken on this, at this time, except he would like for Gene and himself to meet with the High Line Canal Company.

Richard Davis expressed his concern that he was supposed to have met with Gene and Warren when they met with the High Line. He said that he had tried to contact the High Line and did not receive a return phone call and asked why there had not been communication between the three of them.

Chairman Warren Peterson apologized for that oversight on his part. Discussion was held regarding a date and time to meet with the High Line. It was determined it would be on Wednesday the 21st sometime after the sub-committee meeting around 8:30 a.m.

Utah County Director

a. Replacement for Gary Anderson

Chairman Warren Peterson asked if the Commission had opportunity to vote on a replacement for Gary Anderson.

Larry Ellertson that they are working on filling a number of board assignments but do not have a replacement yet.

Junior Baker noted that Don Christiansen is retiring and that the Central Utah Water Conservancy District Board may want to designate his replacement. Gene Shawcroft, extended an invitation to everyone in the room attend an open house for Mr. Christiansen beginning at 2:30 p.m. on January 28th at Central's office.

Discussion was held regarding the process of nominating alternates to the Agency's board.

Discussion of Agency Purpose

Warren Peterson expressed that he has had a number of questions from interested public as to this Agency's purpose. He asked if the Board would like to have further discussion of the Agency purpose, here this morning as a board, in an attempt to be open and allow everyone to have their say, or simply defer that discussion to the sub-committee meeting on January 21st.

Discussion was held regarding who would be attending the sub-committee meeting and if there are enough Board members attending that would constitute a quorum then they will need to let Junior and Shelley know so that it can be noticed as an open meeting.

Marty Larsen expressed his concern that the purpose of the Agency be somewhat narrowed down, defined and so forth, so when meetings are held and question arise concerning participation, such as the High Line's concern with hiring Marcus Faust and the terms of his retention, these questions answered first so the board members can make informed decisions.

Randy Brailsford said that sub-committee would be addressing Mr. Larsen's concerns in their meeting on the 21st and making recommendations to the Agency Board.

Rick Moore expressed that he felt the Agency just needed to get a direction going. He said that he did not feel that the Board had been productive.

Larry Ellertson expressed that he felt it would be interesting to know how the three people who put the Agency together thought it should go.

Richard Davis explained he went to a Westfield Irrigation meeting, because he is a shareholder, and the questions were asked of him "what is the Mt. Nebo Water Agency" and what are they doing. He said that one of Mt. Nebo's purposes is to find ways to conserve our water. We were in a drought a couple of years ago and ran out of water. There are a lot of farmers who flood irrigate and at the end of the season there were a lot of them that did not have enough water. He had to buy CUP water to finish his irrigation because he did not have enough water shares to do it. A lot of farmers don't contract delivery of Central Utah Water because they cannot afford it and maybe this Agency is a good way to bring in grants and redo our thinking on how we irrigate property so farmers have enough water to irrigate through the season. He said that a lot of people got mad at him in the meeting because they thought that Mt. Nebo's purpose was to take their water. He said that it isn't to take their water but to conserve the water and to help them with different ideas and protecting their water. He said that there are a lot of people that do not understand why the Agency was formed and that the water companies should be here giving advice but that they don't want to participate in the Agency meetings because they are scared that this Agency is going to take their water.

He got involved in this Agency because he thought this Agency was going to protect the water and find different resources.

Rick Moore expressed that he felt the same way and that the Agency needed a project to show people what we are trying to accomplish.

Richard Davis said that the Agency needed some educational assistance to help the Agency with. We need farmers here because they are smarter than the Board in some areas.

Calvin Crandall told the board to invite the irrigation companies to be to the Agency meetings. He said that they "have felt shut out." Make a phone call to the companies. Richard Davis said that he has invited water users. He has begged them to be here but that someone has scared them off.

Randy Brailsford told Calvin Crandall if he could get from Mr. Crandall the email addresses, of the water users he was talking about, then the Agency would send them an agenda and minutes of the Agency meetings.

Technical Committee Report

- a. High Line Canal Enclosure Status**
- b. Regional Water Study**
 - i. Creating the Regional Water Study as a project**
 - ii. RFP criteria**
- c. Other**

Chairman Peterson explained that the Technical Committee had been working extensively on a plan to conduct a regional water study and asked Chris Hansen to give a report.

Chris Hansen asked if the Board had reviewed the draft and passed out copies of the draft. He then explained that the technical committee had been meeting since last summer, off and on, in putting together requests for proposals for a regional water study for the Agency service area. This draft would solicit engineering firms to take a look at the documentation and studies that have been performed and see where there is need for more information. There is a timeline but the dates are flexible. The Committee recommended that the Agency members make all such documents available to the selected engineering firm. The firm would study the documents and then make a recommendation to the Agency for the work remaining to be done for a regional study. Phase I would lead into a Phase II project which would be the actual study so Phase I is just to review what's there and to make recommendations on what needs to be done in Phase II. The selected firm would help the Agency outline and evaluate the existing studies as to the monetary value that is attributed to each one so the Agency could then allocate the costs of the study, giving credit to those Agency members who contribute value to the regional study by work already done by that Agency member. Mr. Hansen said, "A lot of the work has been done already by organizations and so we want to recognize that value."

Chairman Warren Peterson said, for example, the Goshen Valley District has not done any studies of that sort and to the extent that there is value that he would expect, as representative of the Goshen Valley District, that it would pay more towards the study just because of studies contributed from the other members.

Discussion was held regarding the members giving study information to the Technical Committee even if it is in draft form, by having the members give the information may delay the RFP, meshing the studies together and assessing the monetary value, members participating in the study or choosing to conduct their own, and moving forward concurrently subject to a timeline.

Soren Christensen asked what the Agency was going to do with the cities and areas that aren't included as members like Santaquin, Springville, Woodland Hills, Elk Ridge etc.

Chris Hansen said that right now the Technical Committee was proposing to look at all areas within the Agency boundaries.

Discussion was held regarding the study covering both political and geographical boundaries, hydrology, evaluating demand, who to include, the purpose of the study, the results of the study helping the Agency clearly define a mission and who the other players are that need to be included in the study and identifying them.

Chris Hansen said the cost estimate of Phase I of the study is approximately \$30,000 to \$50,000 with Phase II costing upwards of hundreds of thousands of dollars.

Larry Ellertson expressed that he felt before the Agency goes to Phase I that the Board knows of other players that should be involved and they are not presently Agency members.

Steve Clyde said if other players do come they participate financially, or if they don't perhaps the County could represent unincorporated areas not covered by a city. He feels that such needs should be factored in when defining a study and need to be looked at "before you go too far down the road."

Chris Hansen said that the technical committee has identified the players that could be involved, on a list, and that it is quite a few.

Discussion was held regarding whether or not to move forward with Phase I of the study before the other players are identified and notified.

Warren Peterson explained the way the study was cast on the agenda was instructive, as this regional water study would be the Agency's first project. He said he is understanding is that some of the board members want to identify other players and present an open invitation for them to participate in the study.

Discussion was held regarding the need to invite the other players to participate in order for them to be aware of what the Agency is doing and not feel that the Agency is trying to steal their water, and how to reach out to them whether via a letter or social media.

Chris Hansen said as we assemble the list and contact these other stakeholders that we run the risk of overlooking or forgetting somebody. He suggested having a general letter out there that would cover everyone.

Richard Nielson suggested that companies that the letter is sent out to could include verbiage that if there is anyone else that they think should be involved to let the Agency know.

Marty Larsen expressed that even if these other players are not members of the Agency that the Agency still has the rules and infrastructure in place to receive contributions if they benefit from a copy of the study.

Gene Shawcroft **moved** to **direct** the technical committee to generate a list of those entities whom they believe this study should include and benefit within the Agency boundary and watershed area and circulate the list to the Board so that the individual board members can make recommendations and or other input and then the tech committee send their recommendation back to the Board for action at the next board meeting. Further action on Phase I will be deferred until the identified parties have been notified and provided the opportunity to participate in the study. Discussion was held regarding the motion and changes to the wording of the motion. Larry Ellertson **seconded** and the motion **passed** with all in favor.

Meeting Schedule

a. March 16, 2015

Discussion was held regarding changing the date of the Agency's next meeting, as it conflicts with the Utah Water Conference. It was determined that the next meeting would be held on March 27, 2015 at 7:30 a.m. Gene Shawcroft **moved** to **approve** the Agency's next meeting as March 27, 2015 at 7:30 a.m. Rick Moore **seconded** and the motion **passed with all in favor**.

Other Business

There was none

Rick Moore **moved** to **adjourn**. Randy Brailsford **seconded** and the motion passed at 8:43 a.m.