

MT NEBO WATER AGENCY
BOARD MEETING
Salem City Offices, 30 West 100 South, Salem UT 84653
Monday, August 12, 2024

CONDUCTING

Richard Nielson, Chair

BOARD MEMBERS

Bart Leeftang, Central Utah Water Conservancy Dis.
Marty Larson, Genola City
Braden Sheppard, Goshen Valley Local District
ABSENT-Brett Christensen, Payson City
Paul Taylor, Salem City
Lynn Mecham, Santaquin City
ABSENT-Kevin Oyler, Spanish Fork City
Boyd Warren, Strawberry Highline Canal Co
Sterling Brown, Strawberry Water Users Assoc.
Richard Nielson, Utah County

ALTERNATE BOARD MEMBERS

Gerard Yates, Central Utah Water Conservancy Dis.
Curtis Thomas – Genola City
ABSENT-Paul Munns – Goshen Valley Local District
David Tuckett, Payson City
Bradey Wilde, Salem City
Art Adcock - Santaquin City
Chris Thompson, Spanish Fork City
ABSENT-Lynn Swensen, Strawberry Water Users Assoc.
ABSENT-Glen Tanner, Utah County

TECHNICAL COMMITTEE

Roger Pearson, Central Utah Water Conservancy Dis.
ABSENT-Chris Steele, Genola City
ABSENT-Melanie McVicker, Goshen Valley Local Dis.
Travis Jockumsen, Payson City
Bradey Wilde, Salem City
Norm Beagley, Santaquin City
Chris Thompson, Spanish Fork City
Sterling Brown, Strawberry Water Users Assoc.
Richard Nielson, Utah County

STAFF

Kim E. Holindrake, Payson City Recorder

OTHERS

Steven Clyde, Clyde Snow (online)
Gary Brimley, Central Utah Water Conservancy Dis.
Bruce Ward, Central Utah Water Conservancy Dis.
Brian Hutchings, Woodland Hills City
Kathryn Floor, Hansen Allen & Luce

1. Call to Order

Chair Richard Nielson called this meeting of the Mt Nebo Water Agency Board to order at 7:30 a.m. The meeting was properly noticed.

2. Public Comment Period

Art Adcock noted an article on KSL from the Division of Natural Resources.

A new online tool is helping the state gather data on Utah's groundwater levels. And results are raising some concern about depleting groundwater levels, mainly in southern and southwestern Utah. The Utah Groundwater Data Hub online aggregates 30 years of state and federal data so researchers and policymakers can help identify areas where Utah may need to conserve water, where climate might be impacting water supply, and where changes to storage are needed. They use data from well sites across the state and the US Geological Survey data to monitor all the wells, which will be especially helpful in cities that rely on groundwater. Researchers said they are seeing some concerning trends in groundwater supplies, mainly in southwestern Utah. The Utah Geological Survey's Groundwater Program Manager, Hugh Hurlow, noted they've been particularly concerned about the Parowan Valley, north of Cedar City. "We've been working there for a little while, and we're seeing really steady declines due to the established agriculture. And so they're getting to levels where they're really going to have to adjust some in some way," Hurlow said. As for overall trends, Hurlow said human use is also impacting groundwater supplies. "You might see a little bump up in when there's a wet year or two, but really what we've seen is overall is a return to the same rates of decline after that. So it's really the use,"

What he saw in TV was a type of mechanism or something that goes into the ground into the water to measure the pressure of the groundwater. He felt this was interesting since we've been talking about groundwater supplies. He did not know how this pertains but wanted to share it.

3. Approval of Minutes – June 10, 2024, Meeting

MOTION: Marty Larson – To approve the minutes. Motion seconded by Bart Leeflang. Those voting yes: Bart Leeflang, Marty Larson, Braden Sheppard, Dave Tuckett, Paul Taylor, Lynn Mecham, Chris Thompson, Boyd Warren, Sterling Brown, Richard Nielson. The motion carried.

4. Finance Report (7:33 p.m.)

Sterling Brown noted he, Kim Holindrake, and Dave Tuckett visited a couple of weeks ago on passing the treasurer responsibilities from Dave to himself. He presented the finance report. Since the last meeting three invoices were paid to Hansen Allen & Luce (\$4,155.90, \$1,383.50 & \$502.50). Revenues included interest of \$4.73. Account balances include the reserve account - \$5,000, administrative account - \$29,270.10, Project #5 account - \$3,158.19, and Project #6 account - \$7,377.45 for a total of \$44,805.74. It's worth noting that after a valiant effort by Dave, Kim, and possibly others, the grant funds were received (\$24,761.00) from the Federal Government for Project #5, Water Banking. The Board needs to discuss the disbursement of the remaining \$3,158.19. The current balance of the groundwater database assistance is \$12.25, which is now closed; and the balance remains in the administrative account.

Discussion that the remaining \$3,158.19 in Project #5 be credited to each entity's assessment for Project #7 at the given percentage. Project #7 will be discussed later in this meeting.

MOTION: Sterling Brown – To receive and file the August 12, 2024, financial report. Motion seconded by Lynn Mecham. Those voting yes: Bart LeeFlang, Marty Larson, Braden Sheppard, Dave Tuckett, Paul Taylor, Lynn Mecham, Chris Thompson, Boyd Warren, Sterling Brown, Richard Nielson. The motion carried.

5. Resolution – Amending the signatories with Zions First National Bank (7:37 p.m.)

Sterling Brown reported that as he, Dave Tuckett, and Kim Holindrake were visiting regarding the finances a couple of weeks ago, this issue of who can sign checks came up in our discussion. And as some of you may know the practice has been that all board members can sign checks. Of course, two signatures are required on checks. The Chairman and Vice Chair have largely taken the responsibility to sign those checks, but all board members can. So, Kim looked into this, and there is a resolution before you. If approved, the resolution authorizes the removal of Warren Peterson, Gene Shawcroft, Nathan Ivie, and Chad Argyle, and adding the current board members to sign checks. Each board member will need to complete paperwork before leaving this morning. Kim will then take that paperwork to Zion's bank. Each board member will then need to go to the bank to sign and finalize the process.

MOTION: Sterling Brown – To approve Resolution No. 08-12-2024-A regarding signatories for finances. Motion seconded by Marty Larson. Those voting yes: Bart LeeFlang, Marty Larson, Braden Sheppard, Dave Tuckett, Paul Taylor, Lynn Mecham, Chris Thompson, Boyd Warren, Sterling Brown, Richard Nielson. The motion carried.

6. Technical Committee Report and/or Action (7:41 p.m.)
a. Update on Groundwater Management Plan

Chris Thompson stated the next two items address the approval of the Groundwater Management Plan and task orders for database maintenance and model development. The Plan will track groundwater levels accurately in real time. Around the first of next year, Hansen Allen & Luce (HAL) will review the model and make recommendations regarding sharing water or using surface water and preserving groundwater. The Technical Committee recommends accepting the groundwater management plan as well as the three task orders.

b. Other

No additional items to discuss.

7. Resolution – Groundwater Management Plan

Chris Thompson reported the Groundwater Management Plan is a result of us looking back 10 plus years and starting to closely track the groundwater levels in each of our cities and areas. This gives a really good feel for whether entities are overtaking water out of the ground, or whether it's holding steady. The Groundwater Management Plan is based more on real facts instead of just models. HAL will look at the snowpacks and estimate whether it will be a high or low snowpack year. HAL will then make a draft recommendation to the Technical Committee on whether or not to avoid pumping water

from the ground. Then in April a complete look at the snowpack will be conducted and a final recommendation presented to the Board for approval. The Technical Committee will then work on implementation. It is just a recommendation so no city or entity will be forced to pump or not pump from its wells. It is based on volunteerism, and he feels it will become better every year. Each entity is unique and has unique water issues. The solutions will come over time and by working together with small successes leading to bigger successes.

Board Discussion:

Bradon Sheppard feels it's a good plan and a good start. A potential alternative example is identifying large agricultural users for exchange for strawberry water. Some properties he manages don't have access to strawberry water or other surface water. He questioned if the Board would say use strawberry water if able and if not keep pumping from the ground. Another alternative is restricting groundwater withdrawals. He questioned if the Board has authority to do that.

Chris Thompson stated the Board doesn't have that authority nor does the Board want that authority. This Agency wants to work with consensus. If an entity were asked to not pump its wells, there would be an avenue for it to receive surface water, which is fair to the entities providing the surface water. A payment would occur, but the payment wouldn't be overly onerous. Most of the entities in the Agency are municipal governments and can't divest themselves of water. The management of the groundwater would be a temporary, one-year plan. If wise and keep well levels from declining, it provides a great reservoir and a much safer one. It needs to be treated like a very valuable reservoir. HAL did a great job on this with a very reasonable approach.

Steven Clyde agreed. It's a very well-done plan.

Chris Thompson clarified the timeline/dates are in the Plan. A tentative plan will be made based on the snowpack in February, and then a plan is developed for the year. Then there will be a couple more months of data gathered before this Board meets for approval. If there is a lot of water for the year, entities shouldn't need to pump wells. The Technical Committee will work it out. His experience in Spanish Fork was there were a lot of good ideas that couldn't be implemented because mutual agreements needed to be in place and dealing with the state. It wasn't accomplished until the third year.

Sterling Brown noted he assumes cities are having similar discussions internally independent of what the Technical Committee is discussing. There could be a city out in front of the Technical Committee on what they are hoping or needing to do. Regardless, the Technical Committee makes a recommendation whether a city is out in front or not.

Chris Thompson agreed. This is almost identical to Spanish Fork's annual water management plan to anticipate management of water. The dates for this Agency are just before the dates for Spanish Fork, which gives Spanish Fork time to react to what this Agency is doing. It's important for each city to manage its water every year because each year is different.

Sterling Brown questioned if other cities have timetables similar to what Chris as described and would the Technical Committee interfere or create challenges for other cities. Is this helpful to other cities?

Norm Beagley stated in his six plus years of involvement with this Agency, he has always thought the groundwater study was huge. HAL packaged it in a small attractive package that will accomplish what

is needed. Information is power, especially when it comes to water. It will help all of us if we pay attention to it and implement it. There are no hands being tied on whether a well can be pumped or not. The information will help everyone have a better groundwater supply over generations if done right. Santaquin manages its groundwater and makes the best use of its water resources. Santaquin has already discussed strategies for when the CUP water comes available. This information will make the aquifer more sustainable. His job as a city manager and former city engineer is to make sure the city has sustainability, and this step helps him do that. Every water right holder needs to be in this group. This group holds a significant amount of water rights. We do this in a benevolent effort to make the whole system good for everybody. There may be cities in front and some behind. This is a great step; information is power.

MOTION: Bart Leeflang – To approve the Resolution No. 08-12-2024-B. Motion seconded by Braden Sheppard. Those voting yes: Bart Leeflang, Marty Larson, Braden Sheppard, Dave Tuckett, Paul Taylor, Lynn Mecham, Chris Thompson, Boyd Warren, Sterling Brown, Richard Nielson. The motion carried.

8. Resolution - Groundwater Management Plan Task Order for Database Maintenance, Model Development, and 2025 Alternative Development (8:00 p.m.)

Chris Thompson stated there are two aspects to these task orders. The first task order is a one-time cost relating to the development of the Ground Management Plan, which involves modeling. The other two task orders are yearly to maintain the database. Everyone is well intended but busy, so data isn't always turned in timely so the consultant will remind us. It works and is a good systems to continue. When this was started 12 or 13 years ago, the northern Utah County cities took note and copied it including a useful online tool by Central Utah for reporting. Now we've copied this tool, and it provides a lot of synergy with the northern cities. Entities will submit data that will be monitored by HAL, and Hal will provide reminders if needed. In 2025, HAL will provide a recommendation to the Technical Committee for discussion that will be tried up and presented to the Board for approval. There is an administrative fee paid equally and then the Plan based on a percentage.

Board Discussion:

Sterling Brown stated hypothetically Chris leaves Spanish Fork City and no longer chairs the Technical Committee, and that institutional knowledge, vision, and organization is gone on this project. Who makes sure it's back on the Technical Committee agenda and on this Boards agenda for discussion? Who's on top of those details? Is it HAL that's the force behind the scenes or is it Chris's replacement?

Chris Thompson stated his replacement will be much better, and HAL will work with them. The Plan creates a system for the new chair and board members to follow. It's readable.

Sterling Brown noted Chris is more optimistic than him. He wouldn't remember that a resolution was passed, who would whisper in his ear. Is HAL really on top of these things? Is it part of HAL's job description on this project?

Dave Tuckett stated the task order puts those dates in, HAL will give a reminder, and the Technical committee will move forward. There are safeguards there. The project assessments were based on percentages and provided in the packet. The year two assessment will be about \$24,000 for administration, which will need to be discussed.

Marty Larson voiced concerns about the statement that it's a small amount to keep this going, but a small amount to Genola is different than to Spanish Fork. He doesn't want to discourage any entity in participating because of funding.

Chris Thompson stated initial conversations were held with Central Utah on that. A lot of what is done here comes under Central Utah's mandate for the water in this area. The Technical Committee has also discussed different ways so smaller entities aren't burdened financially.

MOTION: Paul Taylor – To approve Resolution No. 08-12-2024-C regarding the Groundwater Management Plan task orders. Motion seconded by Dave Tuckett. Those voting yes: Bart Leeflang, Marty Larson, Braden Sheppard, Dave Tuckett, Bradey Wilde, Lynn Mecham, Kevin Oyler, Boyd Warren, Sterling Brown, Richard Nielson. The motion carried.

9. Other Business

a. Information/Discussion Items for Future Meetings (8:10 p.m.)

Bruce Ward noted a Technical Meeting needs to be held before Chris Thompson leaves.

Richard Nielson thanked Chris Thompson for all his work.

b. Other

Curtis Thomas questioned how binding the Groundwater Management Plan is to different agencies and cities and can it hold rule over water rights. It's great to be proactive and have a plan in place.

Richard Nielson clarified that the intent of the Plan is to help collectively manage the water, but it's not binding in any way.

Steve Clyde noted the State Engineer has priority administration over water. At the end of the day, if the ground water runs out and entities are in trouble, the State Engineer will curtail under the priority doctrine, and everyone would be stuck with it. This is an opportunity for voluntary cooperative management of the system, which the state statute allows as opposed to forced priority administration. It's a great opportunity. There was a transition before Chris Thompson and there will be another as chair. He isn't worried about the future. The next person behind Chris Thompson will do a great job.

10. Next Meeting – November 4, 2024

11. Adjourn

MOTION: Marty Larson – To adjourn. Motion seconded by Paul Taylor. Those voting yes: Bart Leeflang, Marty Larson, Braden Sheppard, Dave Tuckett, Paul Taylor, Lynn Mecham, Chris Thompson, Boyd Warren, Sterling Brown, Richard Nielson. The motion carried.

This meeting was adjourned at 8 15 a.m.