

1 MT NEBO WATER AGENCY
2 BOARD MEETING
3 Salem City Offices, 30 West 100 South, Salem UT 84653
4 Monday, February 14, 2022

5
6 CONDUCTING

Marty Larson, Chairman

7
8 BOARD MEMBERS

9 Gene Shawcroft, Central Utah Water Conservancy District
10 Marty Larson, Genola City
11 Wes Quinton, Goshen Valley Local District (via phone)
12 ABSENT - Brett Christensen, Payson City
13 Seth Sorensen, Salem City
14 David Hathaway, Santaquin City
15 Kevin Oyler, Spanish Fork City
16 Boyd Warren, Strawberry Highline Canal Co
17 Richard Nielson, Utah County

18 ALTERNATE BOARD MEMBERS

Chris Hansen, Central Utah Water Conservancy District
19 ABSENT - Neil Brown – Genola City
20 ABSENT - Paul Munns – Goshen Valley Local District
21 ABSENT - David Tuckett, Payson City
22 Kelly Peterson, Salem City
23 ABSENT - Lynn Mecham, Santaquin City
24 ABSENT - Chris Thompson, Spanish Fork City
25 Glen Tanner, Utah County

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27 TECHNICAL COMMITTEE

Chris Hansen, Central Utah Water Conservancy District
28 ABSENT - Chris Steele, Genola City
29 Melanie McVicker, Goshen Valley Local District (on line)
30 Travis Jockumsen, Payson City
31 Bruce Ward, Salem City
32 Norm Beagley, Santaquin City
33 ABSENT - Chris Thompson, Spanish Fork City
34 Richard Nielson, Utah County

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36 STAFF

Kim E. Holindrake, Payson City Recorder

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38 OTHERS

Steven Clyde, Clyde Snow
39 Sterling Brown, Strawberry Water Users Association
40 Dave Pitcher, Central Utah Water Conservancy District
41 Rachel Musil, Central Utah Water Conservancy District
42 Ed Vidmar, Spanish Fork River Commission
43 Erin McAnally, Hansen Allen & Luce
44 Braden Shepherd, Goshen Valley Local Dis./Farmland Reserve

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46 1. Call to Order
47
48

49 Vice Chairman Richard Nielson called this meeting of the Mt Nebo Water Agency Board to order at
50 7:30 a.m. The meeting was properly noticed.

51

52 2. Swear in of New Board Members

53 Kevin Oyler – Spanish Fork City, Kelly Peterson – Salem City (alternate), Wes Quinton –
54 Goshen Valley Local District

55

56 Kim Holindrake administered the oath of office to Kevin Oyler, Spanish Fork City, as a Board
57 Member, Kelly Peterson, Salem City, as an Alternate Board Member, and Wes Quinton, Goshen
58 Valley Local District, as a Board Member.

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60 (Marty Larson in attendance)

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62 3. Public Comment Period

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64 No public comments.

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66 4. Approval of Minutes – November 15, 2021 Meeting

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68 **MOTION: Boyd Warren – To approve the minutes of November 15, 2021.** Motion seconded by
69 Gene Shawcroft. Those voting yes: Gene Shawcroft, Marty Larson, Wes Quinton, Seth Sorensen,
70 David Hathaway, Kevin Oyler, Boyd Warren, Richard Nielson. The motion carried.

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72 5. Finance Report

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74 Kim Holindrake reviewed the finance memo noting since the last meeting three invoices were paid
75 and revenues included interest. Account balances include reserve account - \$5,000, administrative
76 account - \$30,879.11, and Capital Projects, Project 4 account - \$4,842.94 for a total of \$40,722.05.
77 On the agenda today, we will discuss the WaterSMART Project and see if there will be any member
78 assessments.

79

80 6. Technical Committee Report and/or Action

81 a. Groundwater Management Plan; Status Update

82

83 Chris Hansen reported the Groundwater Management Plan continues with data input into the data
84 base, which is being done within the current scope of budget. Then the Board will need to decide
85 whether to move forward on its own. A draft report was sent out after the last meeting. Hansen,
86 Allen, & Luce has done more than asked and are still under budget. This is partly because many
87 meetings were not held because of COVID, which cut down on travel time and other things. Hansen,
88 Allen, & Luce has incorporated the data into the groundwater model for our planning report, which is
89 also used for the plan formulation work that is happening at the district office. In answering
90 questions, he stated we continue to add as much data as possible. The report is basically done with
91 graphs and tables being changed. We can continue to exhaust the fund or tell them we are done. We
92 need to decide as a Technical Committee how to move forward. Do we continue to populate those
93 data sets ourselves or extend the work they are doing for us? This Agency needs to discuss how to
94 move forward. This is merely data, but they have been incorporating that data in the groundwater
95 model under our phase 2 timing project. That work has continued even further under Dave Pitcher
96 and the district's group. The Groundwater Database gives a better idea of the groundwater in south

97 Utah County. The Groundwater Management Plan will be formulated as a group and submitted to the
98 state. Every bit of data helps refine and make it more robust. We need a final product some time. Our
99 vision is the continually refine it. The hydrology we are dealing with is unprecedented with the
100 drought. Groundwater reacts a lot slower than surface water. The vision was to build a tool to
101 populate the data sets. We need everyone working together to continue the process.

102
103 Dave Pitcher stated the plan formulation work continued on and took it to 2018. The next model
104 update takes it through this drought year. Every year helps increase the accuracy. It's a model that
105 USGS has used and is publicly available. As data comes in, files are updated. There is groundwater
106 data model begin in about 1975 to 2018, but it isn't consistent throughout those years.

107
108 Chris Hansen clarified that we will have access to it. We now need to decide whether we want to do it
109 ourselves. The very first study formulated an understanding of all the data available in south Utah
110 County. Then we build on that with a regional plan. Monitoring and readings aren't always available.
111 We looked at equipping some wells to provide useful data, but no wells (that still need to be
112 equipped) have been equipped to his knowledge. He will follow up.

113
114 Bruce Ward clarified owning it is one thing; having an expert run it is another. We own the
115 information and data that is gathered. Most of the cities and entities don't have someone who can run
116 it.

117
118 Wes Quinton is hoping at the end of the day, we will all have access and use it.

119
120 Norm Beagley stated the Groundwater Management Plan is the next step and gives us the ability to
121 look at and study the groundwater. The end goal is knowing the resource.

122
123 Chris Hansen stated a lot of decisions are based on what this report says about the groundwater. Let's
124 do our best to quantify what the resource is. The Technical Committee will have discussions on
125 moving forward.

126
127 b. Other

128
129 No other business.

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131 7. WaterSMART Grant Project
132 a. Update

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134 Chris Hansen stated the WaterSMART Grant Project is moving forward slowly. A grant specialist
135 was assigned in November that has since been assigned to someone else. That person was to get back
136 to him in January to finalize documents, but no one has contacted him. The Board authorized
137 execution of all the documents at the last meeting.

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139 b. Budget

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141 Chris Hansen sent out a draft of proposed cost sharing. He received some responses and will make
142 some changes. The draft document will be sent out again for review. Then the budget can be
143 finalized.

144

145 c. Other

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147 Steve Clyde explained that contract banks are governmental entities. Other statutory banks can have
148 private parties involved that would allow the irrigation companies to be involved. So private entities
149 can participate in the bank.

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151 8. Legislative Updates/Changes

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153 Steve Clyde stated this has been an incredibly active year. Usually there are half a dozen bills
154 affecting water; but this year, there are close to 40 bills. The issues with the Great Salt Lake and the
155 drought have water on everyone's mind. Out of those 40 bills, there are probably about 18 that are
156 problematic. Some impose landscaping restrictions while others encourage concurrency. SB 160,
157 Colorado River Authority, adds a tribal member to the board. The critical bills are as follows:

- 158
- 159 • SB 110 – Water as part of the General Plan. As municipalities look at new land use approvals,
160 they should start asking if there is physical water available not just water rights. If physical
161 source capacity isn't available, development may need to be delayed until additional capacity
162 and/or water rights are available to support growth. The bill should pass today or tomorrow
163 and then move to the House.
 - 164 • HB 33 – Instream flows. The original instream flow bill was very restrictive and was viewed
165 with suspicion by agricultural as a way to strip water away from agriculture. Only two state
166 agencies, Wild Life Resources and State Parks, were allowed to have instream flow
167 applications, and location were very limited to small stream segments. The ability to move
168 water from point A to say the Great Salt Lake didn't exist, because the next diverter
169 downstream had a right to divert available water in priority. The law was amended to allow
170 fishing groups to acquire instream flow water rights for purposes of protecting specified
171 species of fish. To his knowledge, there are only six stream flow applications filed in almost
172 20 years. With the situation of the Great Salt Lake, this bill is proposing to allow almost
173 anyone to participate as a water right holder to lease water into instream flow use for
174 environment purposes while working with state agencies. This bill is moving forward rapidly,
175 is in the Senate, and has broad support.
 - 176 • HB 232 - Utah Lake Authority. There is a lot of confusion as to what the bill actually is and is
177 not. It is not a bill to support the group that wants to build the islands in Utah Lake. The bill
178 looks more at holistic restoration of water quality and improving the environmental health of
179 the lake itself, rather than promoting development under the altruistic guise of improving
180 water quality and navigation. Utah Lake was navigable at Statehood, and the bed of the lake
181 to the highwater mark is sovereign lands, encumbered with the Public Trust that mandates the
182 lands be managed for the benefit of all citizens of the State. Lands burdened by the public
183 trust can only be disposed of by the State in furtherance of protecting the trust. The bill will be
184 heard in committee Wed at 4:00 pm.
 - 185 • HB 240 – Utah Lake Amendment. This bill will amend the 2018 legislation allowing this
186 disposal of the public lands resource. It will require a determination that any plan to dispose
187 of sovereign lands be constitutionally and legally sound. Decisions regarding disposal are
188 removed from the FFSL and given to the Legislature and Governor.

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190 9. Report from Utah Lake Restoration Group (8:10 p.m.)

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192 Branden Sheppard reported the Utah Lake Restoration Group filed an application with the Army
193 Corps of Engineers to move forward with the islands project. Farmland Reserve met with the group
194 last year to learn about their proposal. The Army Corps can sit on the application, make
195 modifications, deny the application, or move forward with the application that could take up to three
196 years. Once through the application process, it would take about 15 years to dredge the lake, which
197 would lower the lake bed about seven feet. The theory is to cool the lake water and lose less water to
198 evaporation. The application includes five phases and includes 34 manmade lakes, eight islands for
199 birds and habitat, and eight recreation islands with four roadways across the lake. He will send the
200 application for distribution.

201

202 10. Report on Water/Snow Accumulation

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204 Ed Vidmar reviewed snow pack numbers as of 5:30 this morning. Provo Utah Lake Jordan River
205 Drainage is sitting at 78%. The snow pack looks better than last year at this time. Soil moisture at 8
206 inches is 107% of normal and 112% at 20 inches. Future storms could bring additional moisture. The
207 February, March, and April precipitation outlook is leaning below normal and May, June, and July
208 don't look good. It looks like we are in for a dryer summer, but we can make it through.

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210 11. Other Business

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a. Information/Discussion Items for Future Meetings

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b. Other

240 Steve Clyde discussed there is a water prioritization bill. There has always been in the Appropriations
241 Act what is called the domestic preference. In times of shortage, domestic water has the first right
242 regardless of priority, then stock water, then all other uses. It was never articulated how that would
243 apply in Utah law. An amendment by the Water Tasks Force was done about eight years ago.
244 Prioritizations were created as well as a compensation with a two-year limitation. This has never been
245 applied by the state engineer, but the drought has focused attention on it. Representative Carl
246 Albrecht brought a bill forward stating there are a variety of issues but should also give preference to
247 electric generation in order to operate the water systems. Through the process, this bill will not go
248 through but is being used as the default with next year as the goal. Also, the state engineer is unsure
249 how he would implement it.

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251 12. Next Meeting – Monday, May 9, 2022

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253 13. Adjourn

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255 **MOTION: Marty Larson – To adjourn.** Motion seconded by Seth Sorensen. Those voting yes:
256 Gene Shawcroft, Marty Larson, Wes Quinton, Seth Sorensen, David Hathaway, Kevin Oyler, Boyd
257 Warren, Richard Nielson. The motion carried.

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259 This meeting adjourned at 8:43 a.m.