

**Bear River Water Conservancy District
Board Meeting
Wednesday May 22, 2019 7:00 p.m.
Bear River Water Conservancy District Conference Room
102 West Forest Street, Brigham City, Utah**

Minutes

Present: Trustees: Roger Fridal, David Forsgren, Charles Holmgren, Jay Capener, Tyler Vincent, Mark Larson, Richard Day, Russ Howe, Jay Carter

Absent: Jeff Scott, Neil Capener

Staff: General Manager Carl Mackley, Systems Operator Robert Thayne, Administrative Assistant Jill Jeppsen, Engineer Intern Matt Meier

Other: Bill Bigelow, Hansen Allen & Luce

Welcome: Chairman Roger Fridal

Invocation: Robbie Thayne

Pledge of Allegiance: Jill Jeppsen

Declaration of Conflicts of Interest: None

Adoption of the Agenda –Chairman Fridal

A motion was made by Board Member Day to approve the agenda. The motion was seconded by Board Member Larson. Chairman Roger Fridal, Vice Chairman Forsgren, Financial Chairman Holmgren and Board Members Howe, Day and J. Capener, Vincent and Carter voted in favor of the motion.

Approval of the Minutes for the Board Meeting held April 24, 2019.

The minutes of the Board Meeting held April 24, 2019 were included with the packet that was provided to the Board Members.

Board Member Vincent made a motion to approve the minutes for the meeting held April 24, 2019. The motion was seconded by Board Member Carter. All Board Members voted in favor of the motion.

Financial Business – Charles Holmgren

The financial statements for April 2019 were prepared and provided to the Board Members. Financial Chairman Holmgren has reviewed the reports and asked for the Board to approve them. He also asked the Board Members to complete the information for Direct Deposit that was included in their packets.

A motion was made by Board Member Forsgren to approve the financial statements as presented. The motion was seconded by Board Member Vincent. All Board Members voted in favor of the motion.

Project Updates – Bill Bigelow

We are working on the test well in Deweyville. At our meeting with Deweyville Town we found so many people were uninformed as to why we are looking to drill a well in Deweyville, it was explained very well to them. We showed real data to prove to them that when Deweyville pumps their well it does not affect Dewey Springs. We did the best we could to tell them about the test well project, where it will be located, how we are going to test it to find out if it harms any of the other wells. There were hecklers in attendance that were very against government, growth, and the District. They didn't know about the District's water rights. The mayor was very respectful as well as most people there. It was a good milestone for the project. We are looking at the two data loggers we have there, one is not too far from the canal and one is down by the highway, they are responding to water in the canal. We are making plans to move forward and drill the test well. We plan to use the test well pilot hole as the production well, thus saving a lot of money on the production well.

There was a discussion regarding drilling in bedrock like this well will be, and not having to case as much of the well. Because it is culinary water, we will have to case the first 100 feet, of the 800 feet we are planning to drill. We will find out as we drill how much will have to be cased, depending on how stable the bedrock is where we drill. Things are moving forward very well on the project.

Robbie Thayne –

We severed the south Willard connection to the Church. There were problems shutting off the water to the South Willard side of the connection. After 3 hours we left the valve there and poured cement in it to make it so the South Willard connection cannot be turned on again. As the asphalt was replaced in the road, they also covered our valve boxes, so they will be out to make those repairs.

Robbie shared a picture of an entire truck load of parts that we took back when the West Corinne Water line extension was completed. There were additional parts ordered during construction that we did not need to use. The air vacs on each side of the canal and the vent still need to be installed and we are waiting for a meter for the bypass in the vault, there is a 2" meter and a 4" meter. They added powered chlorine as each piece was set, Rupp's will add water to pressurize the line and let it sit for 24 hours with the chlorine while we do a pressure test on the line.

Due to the wet spring we have a lot of weeds and grass that we are taking care of. The goats are working on the dyer's woad. We spent some time cleaning up the Cache Valley property along the ditch lines and fence lines.

The truck has had the utility bed installed, we are waiting for the bumper crane, it should be here in about 2 weeks.

We have recently put in 3 connections in Collinston.

Beaver Dam springs have not risen as high as we anticipated, yet. But everything is full and running well.

The operators are really doing a good job, they work together well. We have the best team.

Matt Meier – is excited to be working with Carl and the team. It has been a good experience so far to see all the projects we are involved with and seeing how he can help us out over these next few months.

Trustee Reports

Note: General Manager Carl Mackley Asked each of the board members to contact the water companies in their area to see how many would be interested in meeting with Curtis Ludvigson of Rural Water, that the District would host, to teach them about funding available for water systems to create a Master Plan, to maintain and improve the systems, as well as obtain funding for projects under the Master Plan. The Trustee Reports below are referring to this assignment.

Dave Forsgren– reported Carl Mackley, Bill Bigelow and Dave Forsgren met a week ago with Deweyville Town. There was a large group there and they asked a lot of questions. Carl acted very professionally and answered their questions to the best of his ability. People acted like they didn't know who the District was or why we would be drilling a well in Deweyville. We had to explain who we are, how we are funded and what our goals are. Vice Chair Forsgren thinks the meeting went well and people went away with a better attitude toward the District and what we are doing. It was explained that the State owns all the water and has given the District rights to use a certain amount of water in the area, we would not be taking anything away from Deweyville.

He talked to Nate Spackman at Deweyville and they are interested in a presentation with Rural Water. Honeyville, just went through a Master Plan a couple years ago.

Troy McNeely reported that the springs are running 650 – 670 gallons per minute. They may come up a little more than that. If they keep that flow up through the summer, we will not have to pump. There is a lot of water in the mountains.

Charles Holmgren – Spoke with the City Clerk for West Corinne Water about meeting with Rural Water. He spoke with Acme Water Company, they said they were not interested at this time. Also spoke with the president of West Corinne Water Company.

He attended a Board of Water Resources meeting; the State has been given 70,000-acre feet of water from Flaming Gorge Reservoir. The environmental community is suing the Division of Water Resources now that the water has been transferred.

Measured about 2” of rain on the farm from the beginning of this month. Bothwell received about 1.3” in yesterday's storm.

Jay Capener –The water is in the canal, there have been challenges getting everything balanced out because of the wet spring. People have been irrigating, then because of the rain they have backed off. There was a discussion on the time it takes for the water to react to the changes in flow.

Tyler Vincent – It's good to be back after missing due to attending the ULTC last month. They had some good meetings and learned a lot. Brigham City has held the reservoir down due to the snowpack in the mountains. Board Member Vincent's brother Dennis' name was added to the Fallen Officers Wall in Washington D.C. There was a discussion regarding the reservoir levels and last year's flooding problems in the city.

Mark Larson – Reports a lot of the independent and small water companies including Hot Springs, Cedar Ridge and Garland City have not called back regarding the meeting with Rural Water. Elwood, Marble Hills, Sunset Park, Ukon, Acme, Willow Creek, are interested in the presentation. Chairman Fridal will contact Garland City.

They tried to punch a hole under a new subdivision road with a Hole Hog this past week. It would not go through the clay due to all the water in the ground.

Richard Day– Reports regarding the meeting with Rural Water; South Willard Water Company may be interested, Willard City is interested, Mantua has not responded, Perry City has not yet responded.

Russ Howe – Thatcher/Penrose bit the bullet and got their tank cleaned. They used BRWCD water for a couple days during the process. Everything is back together and running well.

Talked with Craig Hawkes with Howell and Jay Christensen with Bothwell they are both interested in attending a meeting with Rural Water. Randy Nelson with Thatcher/Penrose is pressed for time and may not attend, he thought he would send another representative.

Jay Carter – Park Valley is wet. There were 3 stock watering wells drilled and one more is in the process. There is one near Rosette that flows on its own. There is green grass and a little snow in the mountains still in the area. The colder weather has turned the creeks back, but they will come up with the warmer weather. He will contact Snowville and Grouse Creek regarding the meeting with Rural Water.

There was a discussion regarding private companies vs. public systems and it was noted there is money available for both. The discussion continued about how water service rates play a part in qualification for state money. General Manager Carl Mackley ended the discussion by stating the funding is important, but it is also important to have a plan.

Roger Fridal – Life is good in Tremonton. We are working on the secondary system and it should be ready to use next year. Water is a big deal, and always will be. He set with Tage Flint, the manager of Weber Basin Water and talked about how the Weber reservoirs are getting filled up, they are letting water out of the reservoirs at a significant rate because there is still so much snow in the mountains. They have been running it down the rivers making room for the runoff. He noted as soon as you get out of the state, no one has anything planted yet because it has been so wet.

There was a discussion on the level of the Great Salt Lake with all the water being let out of the reservoirs. Financial Chairman Holmgren has been watching the USGS gauges and monitoring the flow into the Great Salt Lake. The Bear River is by far the largest contributor. There is almost no water coming from the Jordan River into the Lake right now, their reservoirs must still be filling.

General Manager's Report – Carl Mackley

Began his report and expressed thanks to the board for following up on their assignment. We will set a time and date for the meeting and let everyone know.

Board Member Jay Capener expressed concern for the item in the General Manager's written report of the vision and interest in Bear River Canal Company shares. GM Mackley explained one motivation is due to the supplemental protests on our 5 applications from last year. The State Engineer established a ground water policy for this valley with the belief that 10,000 acre-feet of ground water is available for appropriation, of which we filed on 35%. The applications that were held prior to the policy going through have been acted on, ours have not been acted on at this time. One of the largest

approved filings is in Portage for about 700 acre-feet. [Actually 840 acre-feet.] The Bear River Club Company is fighting hard against the State Engineer and this policy. They are protesting everybody that has filed. He thinks it would be advantageous for the District to have a mitigation plan prepared, seeing it is possible that mitigation may be required. If so, we need to have a plan on what mitigation looks like because the Bear River Club Company has a history of requiring canal shares from Bear River Canal Company from people for the past 10 years. General Manager Mackley thinks that mitigation should only be required at certain times of the year, and under certain circumstances. He is looking for shares or looking to build a reservoir of our own to store the water and release it as part of a mitigation plan. He wants the board members to be thinking about a plan, he will be preparing what he thinks a mitigation plan should look like for the District. He is familiar with or has helped prepare different mitigation plans in Cache County and in Colorado. No one has done one in this valley before.

There was a discussion on the protestants, their processes and tactics. General Manager Mackley would like to have a plan in place. Mr. Bigelow mentioned that the District should be protecting the source of the water. If there is mitigation that needs to be done, we should be mitigating to the source, so it is not diminished, and not to any particular water right holder.

Board Member Howe raised the question regarding connections on the new line just completed in West Corinne. There was a discussion about the Bothwell service area, and our policies.

Cancellation of June 26 Meeting

The June 26, 2019 Board Meeting will be cancelled.

Chairman Fridal mentioned he would like to schedule a summer social for the board members and staff at his home this year for the July Board meeting. The date is July 31, the time is to be determined.

Public Comment – No comments

Closed Meeting – To discuss pending or reasonably imminent litigation and the purchase, exchange, lease or sale of real property.

A motion was made by Board Member Vincent to close the general session and enter a closed session to discuss pending or reasonably imminent litigation and the purchase, exchange, lease or sale of real property. The motion was seconded by Board Member Jay Capener. A roll call vote was taken, and all Board Members voted in favor.

A motion to end the closed session and return to the general session was made by Board Member Howe. The motion was seconded Board Member Vincent. The vote was unanimous in favor of the motion.

A motion made by Board Member Larson as discussed in the Closed Session; to 1) research if we can lien the property for the amount discussed, 2) during mediation try to settle the case for the amount discussed and 3) have Voneene Jorgensen there as a witness during mediation, and compensate her for time and expenses as discussed. The motion was seconded by Board Member Howe. All votes were in favor of the motion.

A motion was made by Vice Chairman Forsgren to adjourn the meeting. All Board Members voted in favor.

The meeting adjourned at 9:14 PM.