

**Bear River Water Conservancy District  
Board Meeting  
Wednesday February 20, 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, Mark Larson, Neil Capener, Jay Carter, Tyler Vincent, Jeff Scott

Absent: Richard Day, Russ Howe

Staff: General Manager Carl Mackley, Systems Operator Robert Thayne, Administrative Assistant Jill Jeppsen

Other: Marla Young, BE County Clerk, Bill Bigelow, Hansen Allen & Luce

**Welcome:** Chairman Roger Fridal

**Invocation:** Jeff Scott

**Pledge of Allegiance:** Neil Capener

**Declaration of Conflicts of Interest:** None

**Adoption of the Agenda – Chairman Fridal**

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

**Trustee Oath of Office:**

**Marla Young BE County Clerk** administered the Oath of Office to Neil Capener, who was reappointed to the Board of Trustees by the County Commission on December 5, 2018.

A motion was made by Board Member Scott to name Carl Mackley and Jill Jeppsen as Authorized Users on the PTIF account web site. The motion was seconded by Board Member N. Capener. All Board Members voted in favor of the motion. The resolution has been signed and will be submitted to the State.

**Approval of the Minutes for the Board Meeting held January 23, 2019.**

The minutes of the Board Meeting held January 23, 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 January 23, 2019. The motion was seconded by Vice Chairman Forsgren. Board Member Scott abstained from the vote. All other Board Members voted in favor of the motion.

**Financial Business – Charles Holmgren  
Approval of Financial Statements**

The financial statements for January 2019 were prepared and provided to the Board Members. Financial Chairman Holmgren has reviewed the reports and asked for the Board to approve them.

A motion was made by Board Member Larson 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 looking at the Honeyville well site, logistics, location, elevation and such. The draft of the 40-year water right plan has been created. We will work with Carl to complete the plan. The engineers have provided a little information for the generator, Carl and Robbie have been moving forward with the project. There is a pre-construction meeting tomorrow morning with the West Corinne Water Company (WCWC) on the water line connection project. The pipeline has been designed and the State has approved the plan. There was a discussion regarding the bids for the equipment and it was noted that WCWC is anxious to get the line in. There are potentially 7 connections that could be sold on that line. The main purpose is to serve as an emergency back up to WCWC.

**Robbie Thayne** – For the Bothwell System: Clayton Grover will be helping us replace the check valves in Bothwell, these are a 10” and a 12”. The gate valves have been replaced. We are trying to replace all the older parts on this system. We received the parts today to replace the chlorinator control that went down. The operators will be rotating their areas of responsibility the first of March. We have received 3 bids on the generator, and we are now working on getting bids for the electrical upgrades to accommodate the generator. The bids so far are all close. We are hoping that there could be one generator that would be set up to run either pump. It will be diesel fuel. The generator will be set up to automatically turn on to be exercised on a regular basis. Once a year we will let it run the fuel out and replace it. It will be a stationery generator. There was a short discussion regarding the type of fuel and if that is the best solution. All the bids received have been for diesel fuel generators.

**Trustee Reports**

**Jeff Scott:** Reported that the Utah snowpack totals 2 days ago showed the Raft River Basin as the only basin under 100%. With the snow received since then the entire state is now over 100%. The County will be working with the cities on sand bagging for flooding areas. It was mentioned that the County should do more planning and not allow building in the wash areas.

**Jay Carter** – Stated that there seems to a lot of snow in Park Valley, they received 4” this morning. Because of the low temperatures the trees on the top of the mountain have been white for a week. Usually it will only last a day or two at a time.

**Neil Capener** – Referred to an article he recently read in the Utah State Magazine, regarding the Great Salt Lake (GSL). There was a discussion on how it may impact future water rights and how it is all a balance regarding, drinking water, river water and lake water.

**Mark Larson** – No report

**Tyler Vincent** – Brigham City's drainage is expected to be over 5 feet with all the new snow. The city engineers sent out a memo recommending we drop the reservoir level down in order to make room for the runoff. Island Park (Idaho) had about 6 feet of snow on the flat and received 4 feet more last week. Our snow pack is great, hopefully it will come down slowly so we can avoid flooding. Sandbags are already being prepared by the public works department.

**Jay Capener** – Reported the canal company spent time this morning talking about the GSL situation and their concern with some of the different solutions that are being talked about and the effect it could have on Bear River water.

**Charles Holmgren** – Reported on House Concurrent Resolution 10 (mentioned in the GSL article, above) for the preservation of the Great Salt Lake. This could take allocation away from existing water right holders. The Resolution is sponsored by Timothy Hawks and Scott Sandall is the Senate Sponsor, Representative Joel Ferry is also supporting it. Farm Bureau has tried to change some of the language that talks about allocation of water. There is a concern that this is a way of defeating the Bear River Development Project to the detriment of agriculture. It seems to be a reaction to the two states (Idaho and Utah) wanting to raise the level of the Bear Lake, the GSL people thought it was their water, and so they filed this HCR. And then the Bear Lake people filed a resolution to preserve the water in the bear lake, which is a mirror image of the filing on the GSL. We were at the Bear River Development meeting earlier today, it was mentioned by Mike Collins and corroborated by a geologist that was there that in the 1200-year tree ring record, there is evidence that the GSL has been a lot lower in the past, before this valley was settled. There was a discussion on the HCR10 and its origin and intent. Mr. Holmgren's report continued with a discussion about weather modification and how Pacific Corp thinks Utah needs to invest a great deal more in cloud seeding. It was mentioned that Idaho runs 2 aircraft to do cloud seeding instead of the ground-based generators that Utah uses.

The Bear River Water Users Association sent an email from their attorney's stating they wants to be part of the negotiations between the three states and Pacific Corp on the action to raise Bear Lake 4 feet. Raising the level would be beneficial for all of us. There was a discussion regarding if this could be a component of Bear River Development and how it might affect Cache County and Bear River Canal Company.

**Dave Forsgren** – No report

**Roger Fridal** Reported that Tremonton is dealing with the challenges that come their way. They have done a lot of work to mitigate the flooding in some areas. He also reported that they recently merged the Tremonton and Garland Police Departments. Life is good.

**General Manager's Report – Carl Mackley**

GM Mackley is pleased with the work of the staff and he expressed appreciation for the board members. One of the action items from last meeting was to approach the principle property owner in Deweyville with the offer the board approved. They have accepted the offer in principle, we will continue to work on details. We have been in contact with Krysl Oyler, owner of 680.4 acre-feet and the well we are interested in purchasing. He is excited to talk about the terms that we discussed last month. We have not made him an offer.

South Willard: Last month the board made a motion to not abandon the Stake Center cross connection, but to shut it off and tag it. SWWC is not in favor of leaving the connection and tagging it. GM Mackley will attend their board meeting on March 6<sup>th</sup> to further discuss this with them. It was mentioned that any time you have two connections you must have backflow protection, this connection was not set up that way, it was meant to be a temporary solution. GM Mackley recommends that we follow the abandonment construction drawings designed by our engineers. SWWC is also in favor of abandoning the connection. There is a cross connection up the road, that is metered, this connection goes both ways that will be used for a backup for both companies. Financial Chairman Holmgren recommended that we move forward and let the GM complete what was settled a few months ago to sever the cross connection at the Stake Center and rely on the existing connection we have with SWWC. The Board gave their support to the GM to proceed.

The backup generator for Bothwell will be over \$100,000. In looking at the budget, if we can keep the total project cost around the \$100,000, we can pay cash for it. When we have the quotes from the electricians, we may have to amend the budget and increase the amount for the project. The question was asked if there is any money available from the State to help with the project since they are requiring it to be put in. We have been wanting to have an enclosure on the backup well in Bothwell. The main benefit would be to be able to run the smaller well in the winter months. We currently don't use it because the oil won't drip like it needs to in the cold temperatures. Due to the time constraint to get the generator up, we will have to push the backup enclosure back for a while. We are making sure that as we install the backup generator, all the electrical work will already be designed in and account for when we construct the well enclosure. There was a discussion regarding the budget for enclosure and a SCADA upgrade for both wells, how the controls for the small well are in the main well house, making sure the County inspector is involved to make sure everything will be up to code and if there are other options for heating the pump oil. It was noted the State does not like it uncovered, it is better to have the well covered in the winter and from the direct sunlight in the summer.

We appreciate Hansen Allen & Luce getting us the bid for Asset Management System. In discussions with our operators, we find several reasons why we would want to take this project on ourselves, 1) we need to be familiar with our systems 2) it would give us the opportunity for additional training for our employees. GM Mackley has been talking with Andrew about becoming trained in GIS. Weber State is starting a certificate program in the Fall. We would replace some of the money budgeted for the engineers to work with us on the system for this training. It will be college tuition rates and would be 1 class per semester, certificate will be given upon completion. GIS is very complex system and it will be worth paying the few thousand dollars for the training. The software maintenance cost is very minimal.

The District's Financial model, a project that we nearly completed last year, is a tool that will allow us to model different financial scenarios, it will help us to see what we can do if we update or change our

fee structure. It will help us to model how we can complete some projects. We are working with Matt Millis to get the project completed.

We have been having arsenic woes. We are trying several things to correct it. We have increased the ferric chloride, we backwashed the filter, sediment at the bottom of the reclaim tank, we are going to clean it out. Clayton cannot get up there with the snow, so we will get some of the sediment out until his trucks can get up. We are on a quarterly testing schedule with the State. Historical data shows when the ground is saturated the arsenic levels are lower. We took 4 samples yesterday, one at each of the lower springs, one at early park and one on the treated water. This will give us a good baseline. Considering what has happened with Sandy City, we will be sending out a letter to our customers requesting they update their contact information with us in case of emergency, construction, or shut off for any reason.

Chanshare Farms: GM Mackley read though the sublease agreement with them, met with them and asked them to read the agreement before the meeting. There are some other concerns with our relationship with them. One is that water quality is an issue in the Bothwell Pocket and the State Engineer in his approval of our Bothwell Pocket change of use from irrigation to domestic use stated this in his Memorandum Decision. If water quality decreases (TDS increases) by 10% from the baseline, he will curtail our use of water. For the last two years, Chanshare has quit pumping from Well 3 and only uses Well 4 for irrigation of the south parcels. We have seen a steady increase in TDS from Well 4 as a result. We will closely monitor and test the levels this year and take appropriate action as necessary. We are encouraging them to use both wells this year and they are planning to take their allotted 1800-acre feet this year. One concern from working in the State Engineers office is out in the Curlew Valley, there are areas where there is some poor-quality water and there are areas where the quality is a lot better. They irrigate about 30,000 acres with pivots and almost exclusively from wells. What has happened is they have pumped so much of the good water the salt water plume that is there is migrating toward the good wells. Once that happens it is not reversible. Chanshare has used about 517.5 AF of District water on about 230 acres of ground not owned by the district. They agreed to pay the district \$4600 for this water ( $\$20/\text{acre} \times 230 \text{ acres} = \$4600$ ). I pointed out to them that if we were to wholesale this water it would be at a cost of \$345/AF or \$178,538 ( $517.5 \text{ AF} \times \$345/\text{AF} = \$178,537.50$ ). They were agreeable to pay the additional \$8/acre. It was noted that Bear River canal shareholder water is priced at \$25, and lease water is \$40.

We had an issue with a pressure reducing valve (PRV) that we were working on. The pressure spiked and caused a small flood in one house, they did not have a PRV in the home. The customer agreement states the homeowners are responsible for anything on their side of the meter. We will remind the customers of that in the letter we are sending to request updated contact information. We cannot require the customers to have a PRV in their homes but will recommend they do. Code requires a PRV for new construction.

There is an extension of time due for our application to drill a well in Harper Ward. The extension will be filed with a copy of the 40-year plan that has been drafted by Hansen Allen & Luce to show there is a need for this application. This should show that the water is needed to meet the reasonable future water requirements of the public. We will be asking for a 10-year extension to develop this source of water.

**Public Comment** – No comments

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

The meeting adjourned at 8:50PM.