

**TOWN OF CASTLE VALLEY
RESOLUTION 2017-1**

A RESOLUTION UPDATING MANAGEMENT OF TOWN WATER RIGHTS

RECITALS

WHEREAS, the Town of Castle Valley (“Town”) owns Water Rights Nos. 05-387, 05-411, 05-641, and 05-709 and other small rights (“Town water”), and holds and manages these rights for the benefit of the citizens of Castle Valley.

WHEREAS, the Town is considered a public water supplier under Utah Code Ann. § 73-1-4.

WHEREAS, as a public water supplier the Town will continue to manage Town water for future decades, including, but not limited to, completing 40 year management plans for the use of Town water, maintaining Town water rights in good standing, and participating in Water Rights General Adjudications.

WHEREAS, the Town seeks to update its procedures for managing Town water to better meet the needs of its citizens, the Town’s long-term management priorities, and to recognize citizen use of Town water is subject to duly enacted rules and regulations.

WHEREAS, the Town seeks to formalize these goals by passing a new water use ordinance.

WHEREAS, the purpose of the ordinance is to recognize Town authority to manage Town water, define Town authority, actions and responsibilities for managing Town water, establish a known public process for permitting citizen use of Town water, and define the rights and obligations of citizens seeking to use Town water.

WHEREAS, the Town seeks to use water use permits as the primary tool to manage Town water.

WHEREAS, changes to the existing Water Permit Agreement used to manage Town water are needed to better reflect use of Town water and the passage of an ordinance governing that use.

WHEREAS, upon its passage, the water use ordinance is intended to be the primary source of authority to manage and govern use of Town water and is to supersede all prior Town actions to manage citizen use of Town water, including Town Resolution 2009-4.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE VALLEY

1. The Town Council will take the necessary actions to propose and implement a new water use ordinance recognizing and establishing Town authority to govern and permit citizen use of Town water.
2. The new ordinance shall be entitled **“AN ORDINANCE ESTABLISHING PROCEDURES FOR GOVERNING, AMENDING, CONDITIONING, REVOKING, AND ENFORCING TOWN WATER USE AGREEMENT AND PERMITS”** and shall establish procedures for governing newly issued Water Use Permits (“Water Use Ordinance”).
3. The Town with this resolution promulgates a new Water Use Agreement and Permit (“Water Use Permit”) form pursuant to, and in accordance with the terms of the new Water Use Ordinance.
4. Upon passage of the Water Use Ordinance, the use of Town water rights will be allocated and managed according to the terms and provisions of the new Water Use Ordinance and Water Use Permit.
5. The Water Use Permit is to supersede all previous water use agreements or permits or similar documents previously used to manage use of Town water.
6. The Mayor may take any lawful actions to put the public on notice all prior water use agreements are no longer recognized as allowing use of Town water.
7. Town Lot Owners desiring to use Town water on their Lot must do so by signing and agreeing to the terms of the new Water Use Permit.
8. To protect valuable water resources, the Town is to use the authority recognized in the Water Use Ordinance to enforce compliance with Water Use Permit and the Water Use Ordinance.

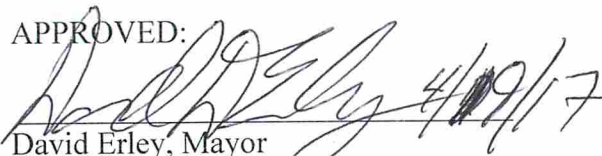
Passed and approved by the Town Council, Town of Castle Valley, in open session this 19th day of April, 2017 by the following vote:

Those voting AYE: Mayor Erley, Council Members: Drogin, Duncan, Hill and O'Brien


Those voting NAY: None

Those absent: None

APPROVED:


 David Erley, Mayor
 Town of Castle Valley

ATTESTED:


 Jocelyn Buck, Town Clerk



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