

MINUTES
SPECIAL WORKSHOP MEETING OF THE TOWN COUNCIL,
TOWN OF CASTLE VALLEY
TUESDAY, JUNE 16, 2009 AT 3:00 P.M.
CASTLE VALLEY COMMUNITY CENTER
2 CASTLE VALLEY DRIVE

Town Council Members Present: Damian Bollermann, Jim Lindheim, Ranna Bieschke, Valli Smouse, Aaron Davies.

Others Present: None.

1. Call to Order: 3:03 P.M.
2. Discussion and Possible Action re: Water Rights Administration.

Jim and Damian mentioned that they had spent an hour on the telephone with Gerry Kinghorn that morning.

Gerry has not done anything so far on the SITLA protest. But, as a result of the phone conversation, he would send us a letter for Damian to sign. The letter will withdraw from our water rights the wells that are listed on their land.

The discussion encompassed the past, present and future. The Division of Water Rights did the adjudication as if the change applications were not in force, and their current records are consistent with the adjudication approach. These records need to be updated to accurately reflect the change applications, our status as a public water supplier, our withdrawal of election and the time extensions for proof we have been granted. This updating is not happening quickly because Teresa Wilhelmsen received a promotion, and it is now difficult to get things done. An Interlocutory Decree to say that the Town of Castle Valley has 4 major water rights and that a certain amount has been shown to be in use at this point could take as long as 3 to 4 years. It could even take from 1 to 3 years for the records to be clarified.

Gerry believes we are on good ground to proceed due to HB 51, the approved 40-year plan and the time extensions on proof. We need, however, to decide what our processes will be for managing the rights going forward. And if we write a new Water Permit Agreement, we will need to make appropriate adjustments with the 105 existing agreements.

Damian also mentioned that Gerry suggested it might be useful to have a process where once a year those who are using Town water rights would reaffirm that those rights are in use. The Council discussed how this might be done.

Gerry Kinghorn suggests we use the current Water Permit Agreement, get Start Cards as our next step and keep going in line with the process.

Jim and Damian recommended using the last draft from Gerry Kinghorn as an Interim Agreement with the initial allocation being a modified version of the Groo system, with people being able to come back to the Town for more water if there is a specific need for it. There would be a cover letter saying that is an Interim Agreement and there will be an updated agreement that they will need to sign later.

With regard to the Water Agent situation, Damian currently signs off on Start Cards, etc. He will continue to do this until another solution is found.

The Town Council will make a decision regarding the Interim Agreement with the cover letter at the Regular Town Council Meeting tomorrow night.

Jim motioned to adjourn the meeting. Aaron seconded the Motion. Damian, Jim, Ranna, Valli and Aaron all approved the Motion. The Motion passed unanimously.

Adjournment: 4:19 P.M.

APPROVED:

ATTESTED:

Jim Lindheim, Mayor Pro-Tem

Denise Lucas, Town Clerk