



## Our Water. Our Future. Our Choice.

The purposes of the District include planning for and facilitating the long-term conservation, development, protection, distribution, management, and stabilization of water rights and water supplies for domestic, irrigation, power, manufacturing, municipal, recreational, and other beneficial uses, including the natural stream environment, in a cost-effective way to meet the needs of the residents and growing population of Cache County.

[www.cachewaterdistrict.com](http://www.cachewaterdistrict.com)

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### CACHE WATER DISTRICT BOARD OF TRUSTEES MEETING MINUTES

**June 12, 2023**

The Cache Water District Board of Trustees convened for a regular meeting on June 12, 2023, at 5:30 p.m. in the Cache County Historic Courthouse Council Chambers, 199 North Main Street, Logan, Utah.

#### **MEMBERS OF THE BOARD IN ATTENDANCE:**

Jared Clawson – At-Large Position  
Jonathan Hardman – South Council District  
Kirt Lindley – At-Large Position  
Beth Neilson – Southeast Council District (via Zoom) – unable to vote because not in person.  
Max Pierce – North Council District  
Bret Randall – Northeast Council District  
Jeannie Simmonds – Logan #1 Council District  
Regan Wheeler – Agricultural Representative

#### **MEMBERS OF THE BOARD EXCUSED:**

Mark Anderson – Logan #3 Council District  
Jeff Ostermiller - Logan #2 Council District  
Brett Roper – At Large Position

#### **ATTENDANCE:**

Nathan Daug, Steven Wood, Chris Slater, Mike Wilson, Teresa Wilhelmsen, Will Atkin, Skyler Buck, Debbie Zilles

#### **CALL TO ORDER**

Chairman Pierce called the meeting to order at 5:35 p.m.

The June 12, 2023 meeting agenda and the minutes from May 1, 2023, were approved.

**ACTION: Motion by Mr. Clawson to approve the agenda and the minutes as submitted. Seconded by Mr. Hardman. The motion was approved unanimously (7-0).**

**Yea: Clawson, Hardman, Lindley, Pierce, Randall, Simmonds, Wheeler**

#### **PUBLIC COMMENT**

No public comment.

## FINANCIAL REPORT

No report – audit being done.

## CALENDAR EVENTS

- June 15 - 1:30 Utah Water Task Force
- June 19 - APO 5:30 Outreach; 6:00 Conservation
- June 21 – Cutler Relicensing Mtg. (afternoon & evening) – Springhill Suites

## MANAGER'S REPORT

### PL-566 PROJECT UPDATES

- **Logan River** – The contract has been signed and the Environmental Assessment (EA) is in process.
- **Wellsville/Mendon** – The contract has been signed and the Environmental Assessment (EA) is in process.
- **Porcupine** – The Preliminary Investigation Feasibility Report (PIFR) will be submitted later this summer (August-November). If the project is found to be viable it will go out for a bid.
- **Blacksmith Fork** – Mr. Daugs is working with Ms. Neilson to finalize the information to submit for a PIFR. NRCS doesn't have a set timeline to accept PIFR submittals.

**BENEFITS OF BEAR RIVER UPDATE** – Report tentatively scheduled to be ready for review this fall.

**REPORT – TOUR & LOCALSCAPES CLASS** –Although not a huge turnout, the tour was successful (stops included Benson, West Cache, and Cub River). There were 30 participants registered for the localscapes class and 6 attended (which is somewhat typical). It may be a good idea to direct people to the Weber Basin website which hosts a lot of information and videos that can be accessed. Ms. Simmonds thought it could have had more information about the types of plants that are water efficient, but it was more of a basic overview.

Mr. Daugs has received calls regarding the Water Wise Rebate program. He has encouraged residents to contact their local city officials. Smithfield City is working on an ordinance.

Director Kelly Kopp is putting together the budget for this year's water check program (based on last year's numbers); it will be approximately \$22,000 to facilitate (\$16,000 in wages, \$500 travel, \$1,000 in supplies, \$4,000 indirect/overhead costs that USU charges). This is twice what the Board has allocated in the past. After talking to Ms. Kopp, USU will be waiving the overhead costs and she does have some other funds that can be put toward the program so the cost will be ~\$14,000. In the current budget, there is \$10,000 allocated, so the decision will have to be whether to divert more funding into this program. The Board decided to begin the program with the \$10,000 that has been allotted and discuss a budget transfer in August.

Mr. Daugs said the tax rate for this year will be ~\$298,598.00 (due to an increase in growth, not an increase in the tax rate). A tax rate summary and tax commission resolution need to be

signed by the Chairman. A public hearing does not need to be held because the adoption is of the current rate, not an increase.

**ACTION: Motion by Mr. Randall to approve the documents as presented and discussed, with no increase in rates. Seconded by Mr. Hardman. The motion was approved unanimously (7-0).**

**Yea:** Clawson, Hardman, Lindley, Pierce, Randall, Simmonds, Wheeler

**Absent:** Anderson, Ostermiller, Roper

**Non-Vote:** Neilson (attending via Zoom)

Mr. Hardman and Ms. Simmonds recently attended the Growing Water Smart training. There is an expectation that the Water District be involved and have asked Mr. Daugs to attend the next meeting. Mayor Kris Monson (from Smithfield City) has reached out and explained the program to other city mayors. The program works with the Governor's Office and other state agencies to promote water efficiency.

### **DISCUSSION – PROPOSED WATER RIGHTS POLICY CHANGE**

See [-Attachment 1- \(Handout presented by State Engineer\)](#)

Teresa Wilhelmsen, the State Engineer led the discussion and reviewed the information presented in the handout she distributed to Board members (see attached). Mr. Daugs briefly reviewed the meeting held in February regarding proposed changes to the Water Rights Policy. Ms. Wilhelmsen met with the Cache County Council and Planning Commission a few weeks ago. After this discussion, the District can come up with official comments to submit to the State Engineer's office. Ms. Wilhelmsen explained that under the recommendations from the State Engineer, Governor Cox issued a proclamation closing the Great Salt Lake City basins to new appropriations of water. She is scheduled to provide a report this November as to the effectiveness of the proclamation and recommendations about whether it should remain in place or be adjusted. She is seeking public comment from all the different basins. All the applications filed for Cache Valley total ~188,000 ac-ft (outlined in the first table of the attachment). She reviewed the diagrams and graphics in the handout. She said it is important to stay within the safe yield of the local aquifer (which Cache Valley is within). She pointed out that there are 500 small domestic applications filed, and 200 other applications for water rights have lapsed, cut could be reinstated in certain circumstances. These types of applications are the ones cut first in a priority reduction process. Some areas have Water Conservancy Districts trying to acquire existing water rights for homes that need them. She encouraged the District to continue to pay attention and move forward with caution.

Surface water annual mean discharge is 1 million ac-ft and 1.8 million ac-ft has been appropriated.

Mr. Daugs asked about the unapproved applications on file. Mr. Atkin said most of it was filed by cities and the Bear River Conservancy District. Ms. Wilhelmsen explained that the process would be to take time to review the applicants and whether there is merit for them to be approved.

Ms. Wilhelmsen confirmed the distinction for Commissioner Simmonds that unapproved applications are not denied. The State Engineer's Office would like to clean up all those unapproved applications so they are not just placeholders in the process. Most of the basins

considering purchasing rights are within their specific basins. When approvals begin it is based on “first in time, first in line”. The focus is mainly on groundwater concerns, especially when it comes to small domestic homes (junior rights in a system).

Ms. Wilhelmsen said her fall report recommendation at this time, based on trending information, is to keep the proclamation in place for another year as various areas work through unapproved applications.

In answer to Commissioner Randall’s question, Ms. Wilhelmsen said the County is using ~30,000 ac-ft of water. She pointed out the information from her groundwater information. The Estimated Groundwater Recharge: USGS Tech Publication No. 100, 1994 (Page 25, Table 5) is (1990) 296 cfs = 214,294 ac-ft. Commissioner Randall noted that the use is considerably less than what the report states is available. Ms. Wilhelmsen said once the valleys approach the safe yield amounts there will be more drawdowns. The unused groundwater is tributary to the surface water.

Commissioner Randall said his opinion is that the Governor was reactionary because of a drought year and concerns about the Great Salt Lake and his response is overreaching. Part of the proclamation to outright ban groundwater seems very reactionary to groups and/or individuals loudly speaking on behalf of the GSL.

Ms. Wilhelmsen noted that whether there is a pause on the proclamation or not, there is plenty of room for Cache Valley to grow.

Commissioner Neilson asked about the estimated recharge numbers and whether it considered any portion of surface water coming out of the springs. Ms. Wilhelmsen said that was included in the estimate, the discharge to the surface was removed from the recharge. State Engineers can enter into cooperative studies/agreements if it is felt that there are any data gaps.

Commissioner Wheeler asked if there is information on how much surface volume water is diverted from the 1.8 million. Ms. Wilhelm said the mean discharge is 1,000 so she would assume it would be close to 1 million. She explained that there was a potential situation from the Bird Refuge (which has a senior right) that would require some areas in Cache County to shut off. She is actively working with the refuge center this year, that should a call have to be made they would have to have a measuring device and documentation indicating the shortage. Chairman Hardman noted that the call would have to be equally shared. Ms. Wilhelmsen said it could be a state or interstate call and it must be reviewed for equal participation if there is a real need.

Commissioner Hardman said he believes the Governor is putting a lot of pressure on agriculture. The value of the water available to purchase will go high enough that agriculture will not be able to buy any. The perception is there is enough water for Cache Valley agriculture is not necessarily accurate and is very short-sighted. Ms. Wilhelmsen said Agriculture has the most senior rights, which is where the focus seems to be and it makes the value of the rights increase. She said current and accurate data is important in planning and making decisions.

Commissioner Randall said there is a real fear that Weber Basin/Salt Lake will come up and purchase Cache Valley water.

Commissioner Randall asked if the proclamation had been challenged in court. Ms. Wilhelmsen said it has not, the goal is that it does not turn litigious, which is why public feedback is such a critical element.

Chairman Pierce asked members to provide thoughts and feedback to Mr. Daus to compile and the Board will review the information and put together a statement from CWD. Members are also encouraged to send in their own/personal comments. A July APO meeting can be set to work on this issue. Commissioner Randall said it is important to have accurate data to pull from.

## DISCUSSION OF BOARD WORKSHOP

See [-Attachment 2- \(full meeting minutes\)](#)

- Chairman Pearce noted some of the broad items brought up and discussed:
- Tax rate – don't want to go too long without some type of increase.
- Be more political
- Education
- Upcoming farm bill
- Potential new employee
- Discontinuing ASR APO Committee and adding a Legislative APO Committee
- Role as District in water shepherding
- Board members reaching out to city and constituents
- Information to include in City monthly newsletters
- Radio ads
- Having a workshop bi-annually

Commissioner Simmonds said it was a good discussion and very productive. It might be better to work on one piece at a time at each monthly meeting. Chairman Pearce agreed and also suggested having a workshop biannually that might be more effective. Commissioner Hardman said the APO subcommittee meetings are important to help move forward some of these issues. Commissioner Randall said it would be easier to have small increases in mil levy over time rather than a huge rate all at once. Chairman Pearce said it will be important to raise the rate to at least stay equal. He would like to begin the discussion soon so that when the time comes the decision will be ready.

Chairman Simmonds said it will be important to at least discuss and consider a possible tax increase for next year. Commissioner Simmonds said if more staff is required, this will be an important element to add into consideration. Another employee could be able to free up more of Mr. Daus's time. Another employee could help with education (e.g., water check program), media, marketing, and communication among many other duties. This could allow Mr. Daus to dedicate more time during the legislative session (rather than hiring a lobbyist). If, in time, a lobbyist might be necessary, a USU intern could be considered as an option. If another employee is needed, it should be clear what projects/assignments they would be doing.

[-Attachment 1-](#)

**Cache Valley (Area 25) Water Rights & Aquifer Data**

<b>Type of Water Right</b>	<b>Groundwater Volume (acft)</b>	<b>Surface Volume (acft)</b>	<b>Total Volume (acft)</b>
Unapproved Applications	65,000	282,000	347,000
Approved Applications	13,000	210,000	223,000
Perfected Rights	110,000	1,380,000	1,490,000
Post-1999 Unapproved Applications	12,100	0	12,100
Post-1999 Approved/Certificated Applications	6,500	0	6,500
Post-1999 Approved Small Domestic Applications (Count = 500)	700	0	700
Post-1999 Applications w/ Mitigation (Count = 6 approved, 3 unapproved (1,000 acft (included)))	3,800	700	4,500
<b>Totals</b>	<b>188,000</b>	<b>1,872,000</b>	<b>2,060,000</b>

**Estimated Groundwater Withdrawal:** [USGS Groundwater Conditions Report](#)

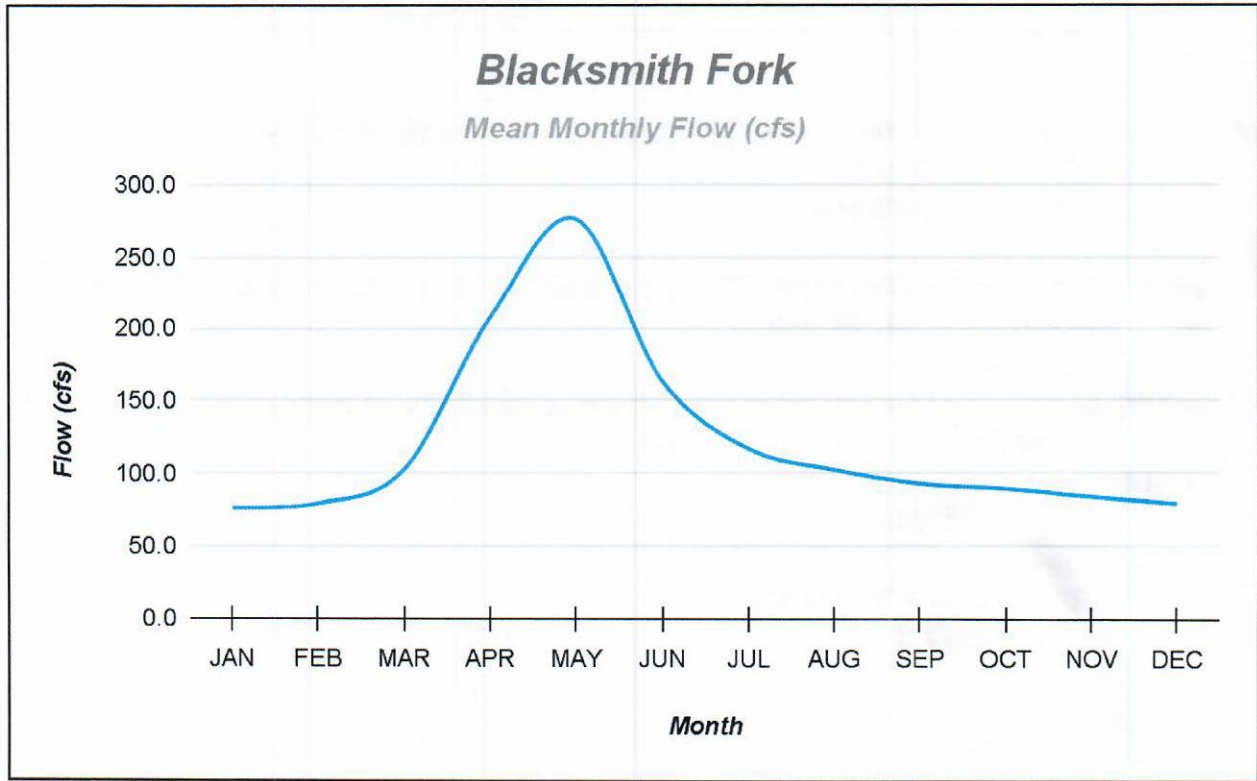
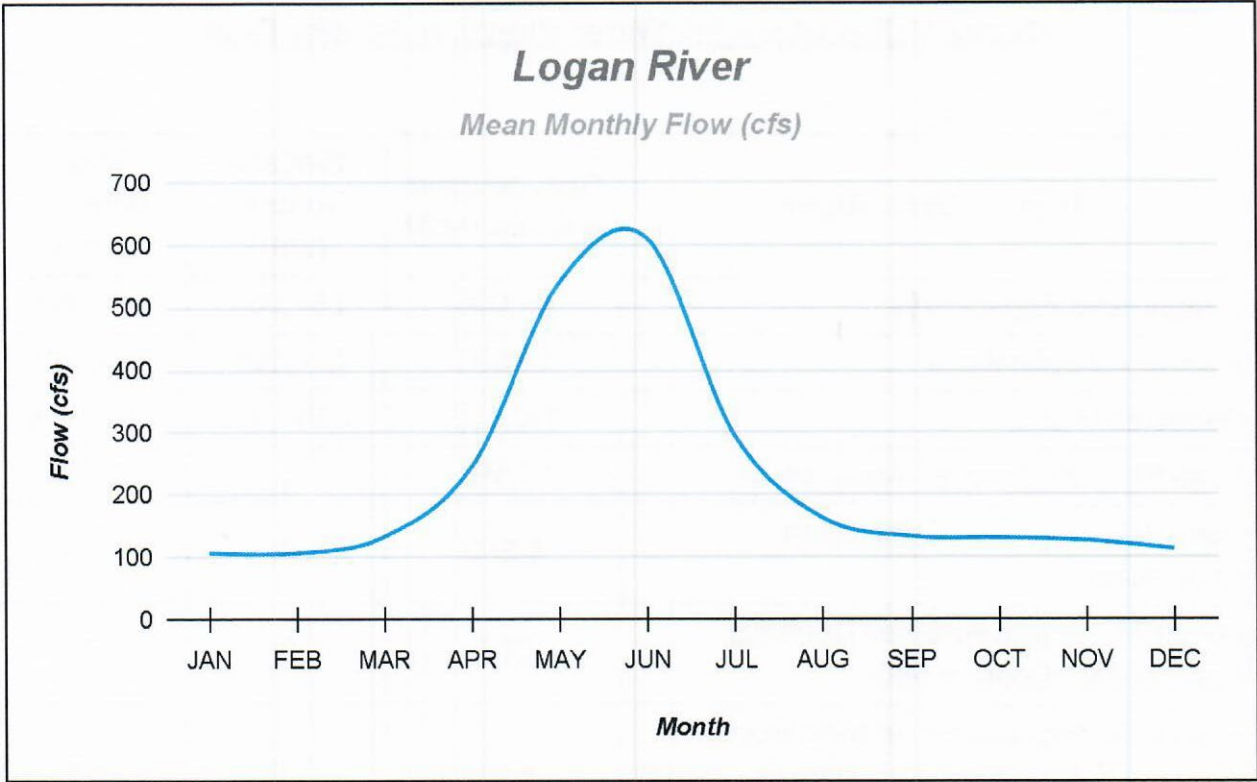
- 1963-2017: **28,160 acft**
- 2018-Present: **29,779 acft**

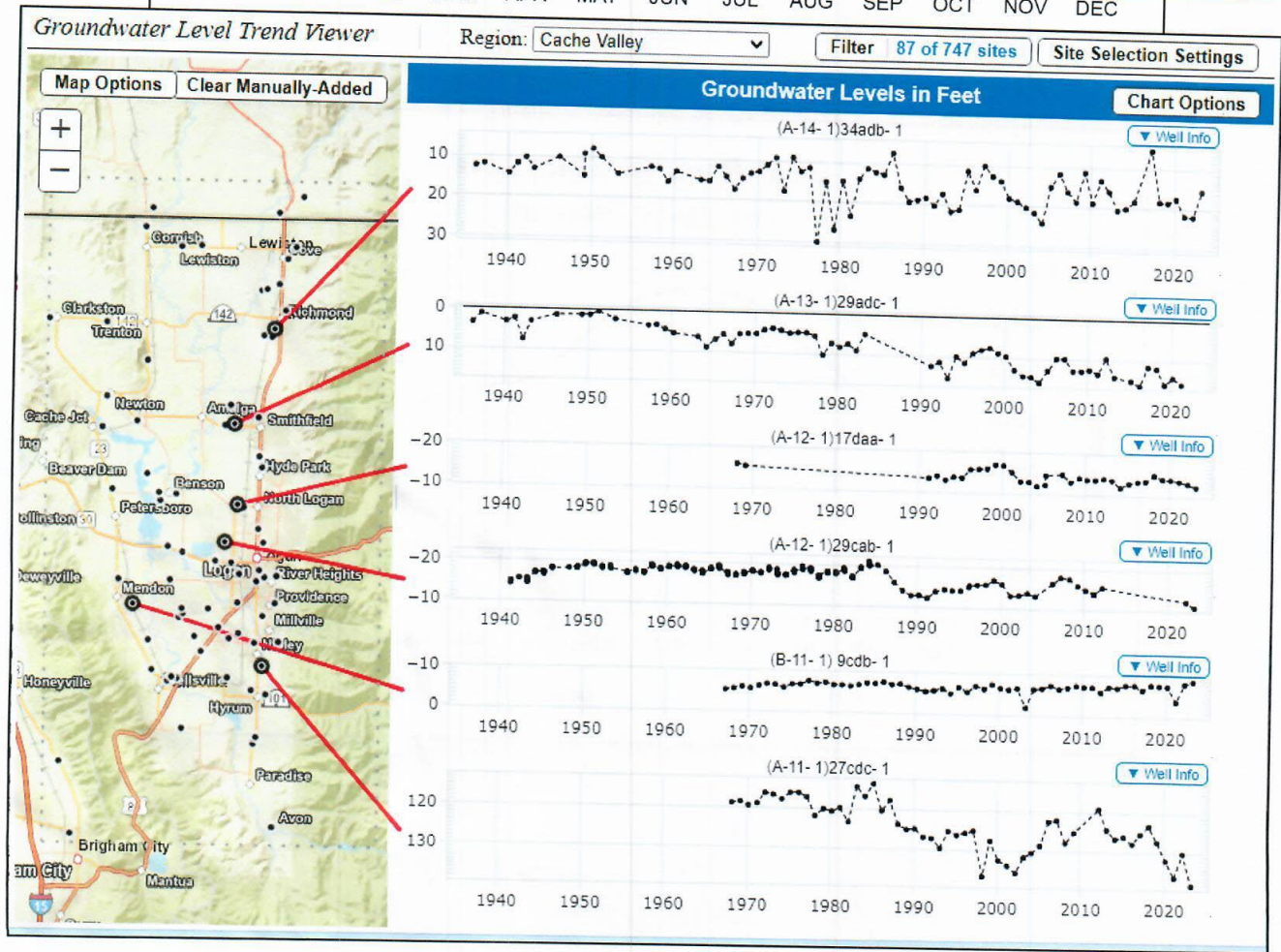
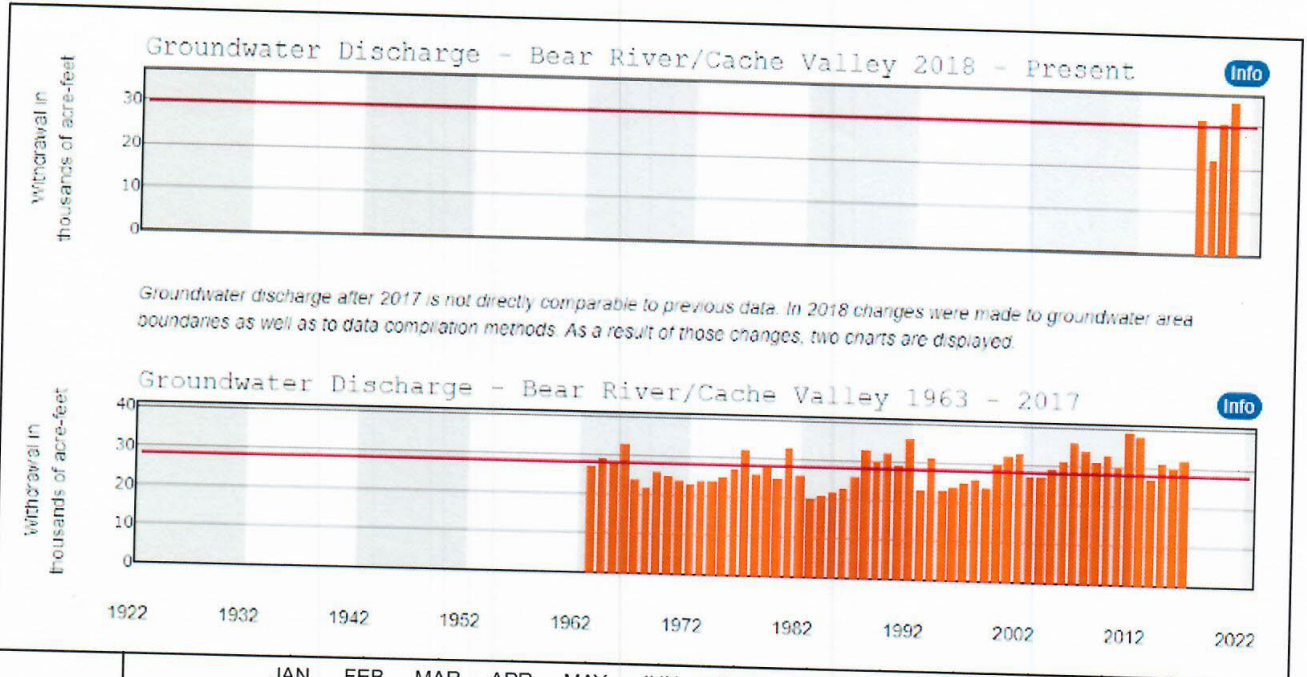
**Estimated Groundwater Recharge:** [USGS Tech Publication No. 108. 1994 \(Page 25. Table 5\)](#)

- (1990) 296 cfs = **214,294 acft**

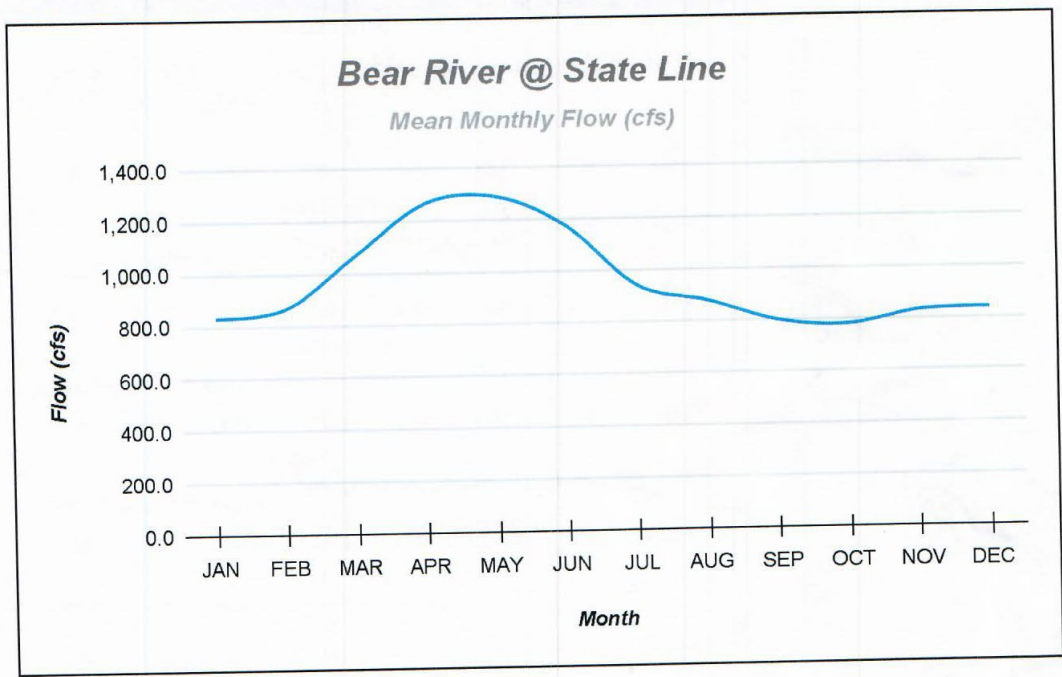
**Main Surface Sources (Annual Mean Discharge):** [USGS National Water Information System](#)

- Bear River (@ State Line): 696,000 acft
- Logan River: 165,950 acft
- Blacksmith Fork: 90,450 acft
- Little Bear: 62,250 acft
- Cub River: 88 cfs = 63,800 acft
- Total: 1,078,450 acft









**-Attachment 2-**

## **CWD Workshop Meeting Notes:**

May 3, 2023 @ USU

Attendance: Nate Daug, Brett Roper, Bret Randall, Jon Hardman, Jeff Ostermiller., Bethany Neilson, Jeannie Simmonds, Max Pierce

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- The meeting/discussion is organized to discuss the Water Master Plan update. What is the main focus area(s)? The plan was last updated in 2019. Should new focus areas be added/changed?
- Mr. Roper suggested adding a focus area on legal/legislative issues.
- Ms. Simmonds asked what role the District will have in water shepherding.
- Ms. Neilson questioned the role of the District in some areas – facilitating or doing – and what should the priorities be. Mr. Randall said one of the reasons the CWD was created is to be more involved in statewide water issues and more involved in legislative decisions. Ms. Simmonds said the goal is to preserve and protect water in Cache Valley. Mr. Pierce pointed out that one way to protect water is through being politically active and educating citizens.
- Ms. Neilson questioned what level of outreach is necessary and are more personnel needed to do that in a more effective way. Mr. Roper said more funding may be needed, or it will have to be done within the current budget. Mr. Daug said ~\$300,000 was received in taxes last year. Mr. Randall said there is a need to adjust the mill levy rate in a few years (there should be small increases over time, rather than major increases). Ms. Simmonds said there should be deliverables for people to understand the need for an increase. Mr. Hardman said there should be some thought put toward other ways to generate revenue. The annual report will help outline what the CWD has accomplished. Mr. Randall said there should be some discussion of adjusting the mill levy rate every 2-3 years.
- Ms. Simmonds asked if secondary metering monitoring/reporting should be a role for the CWD. Some canal companies are not well managed, if there is help it should not be viewed as a “takeover” but more as a service that is being provided.
- Ms. Neilson noted that the DWR if trying to figure out how to have information that can be accessed and decisions can be made using technology. Mr. Pierce said some canal companies may not be ready for that type of technology and incorporating it might be expensive. Mr. Neilson said telemetry and gauging will be mandated by DWR and one service could be having people who are trained to help.
- Mr. Pierce believes another workshop is needed to better communicate what is required and what can be done.
- Mr. Randall said there is a need to have knowledge of all the things going on as the role of CWD is to be involved in all these types of discussion, especially as water becomes scarcer.

Mr. Pierce agreed; this is why it is important to provide education to help canal companies know what is available, what options there are, and how they can apply for funding, especially before adjudication.

- CWD was originally formed to protect water, the canal companies are most at risk. Ms. Simmonds wondered if it might be appropriate to focus the goals toward canal education and political advocacy. Mr. Randall said some of the existing subgroups have a political aspect.
- Mr. Pierce encouraged members to attend more canal board mtgs. Mr. Daugs said most have one annual meeting so it may be difficult to logistically plan to attend. He goes to many of them.
- Mr. Hardman thinks goals and focus points should be prioritized annually rather than narrowing the entire scope of the plan.
- Ms. Simmonds asked if it were time to hire lobbyist. Mr. Daugs said it might be better to focus on providing education or hiring another person who can attend more meetings. Mr. Randall said board members have a duty to contact legislators and be involved.
- Mr. Pierce suggested meeting more frequently in the fall before the legislature begins. Mr. Randall recommended creating an additional APO subcommittee. Mr. Daugs said committees can be restructured to address the most important issues.
- Ms. Neilson would like to see what CWD could do to advocate for Cache Valley and be more proactive, but that would require more money and time.
- Ms. Simmonds asked about the role of individual board members. Mr. Pierce encouraged getting more involved with canal companies and cities to help develop better collaboration. Ms. Neilson asked about members' role in outreach and education; the Board needs to realize that members cannot be an expert on all issues.
- Mr. Hardman said the CWD will provide an annual report and can ask residents what their needs are. Mr. Pierce said some cities can be reluctant to include the District.
- Mr. Hardman said information about the water check program should be shared. Mr. Pierce encouraged being active in meetings and helping to link individuals to programs that may be helpful.
- Ms. Neilson asked about the best form of communication. Mr. Randall said members represent different areas of the community and encouraged members to be involved in meetings and meet leaders in their specific area(s).
- Board members will always have varying opinions, but the united voice of the District is that "we are here to help".
- Ms. Simmonds said goals should directly relate the purpose of the CWD.
- Possibly consider a part-time employee who can help with additional duties. Mr. Pierce wondered if USU could help with marketing/brochures. Mr. Daugs said one idea could be partnering with USU Extension, or a similar organization for a full-time position. This idea will

be added to a meeting agenda for discussion. If a position is needed, the Board will have to carefully consider the idea and how it will be funded. Ms. Neilson suggested creating job description for what an additional employee would be doing. Members said some of the duties could be:

- Finances/account
  - Outreach/education
  - Media relations
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  - Help with grants
  - Schedule appointments and attend meetings
- Mr. Ostermiller said looking back at what has been accomplished will help guide the future. An annual report can help summarize the accomplishments of the past.
- Mr. Daus suggested bringing the idea to the Board and then moving forward from there (possibly reaching out to the Extension office).
- Mr. Pierce encouraged members to begin contacting individuals in their respective areas and going to meetings to determine what their needs are.
- Bear River Development – Mr. Daus said discussions and meetings are still being held.

**ADJOURN**

The meeting adjourned at 7:05 p.m.

## -Attachment 1-

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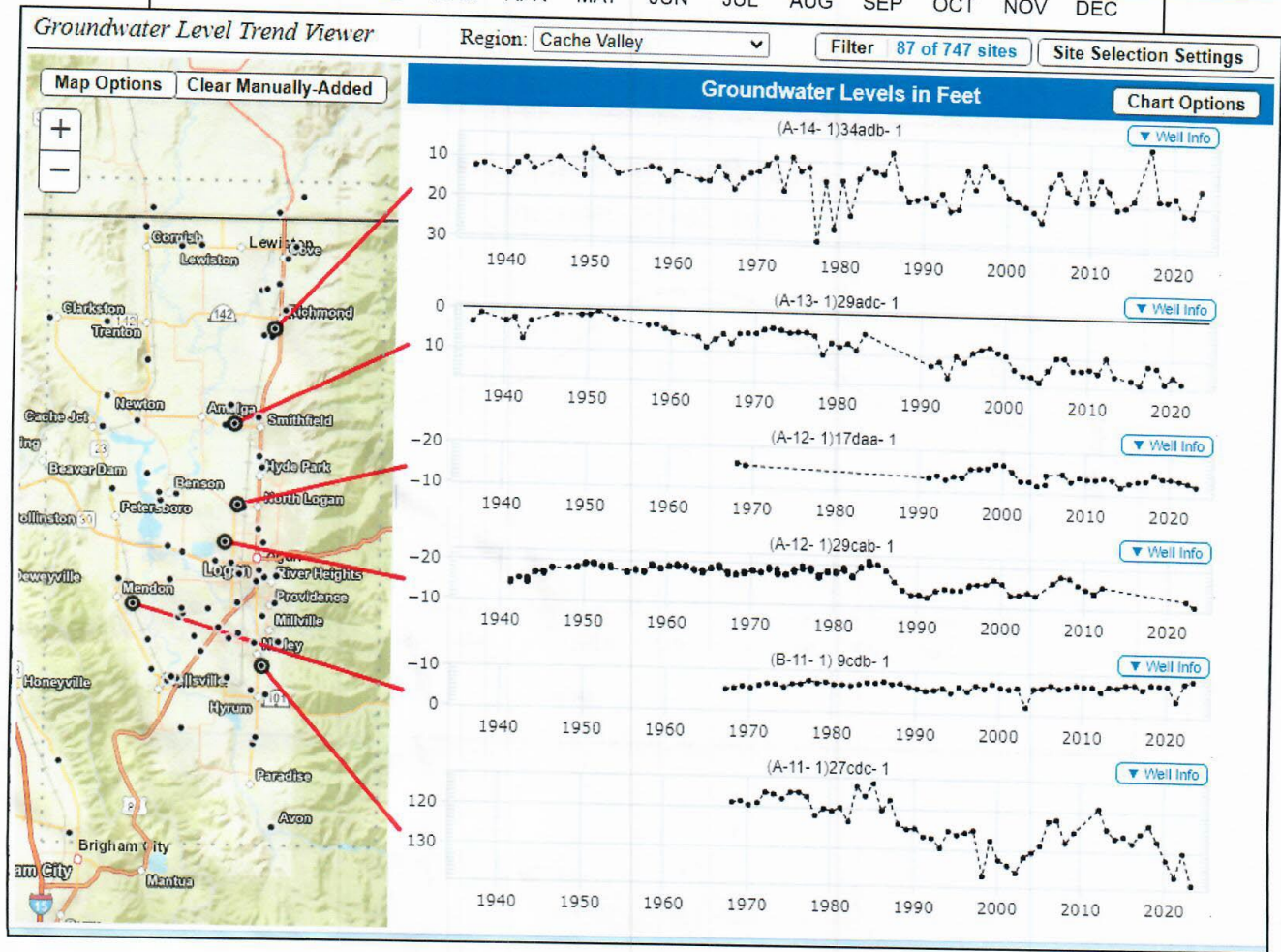
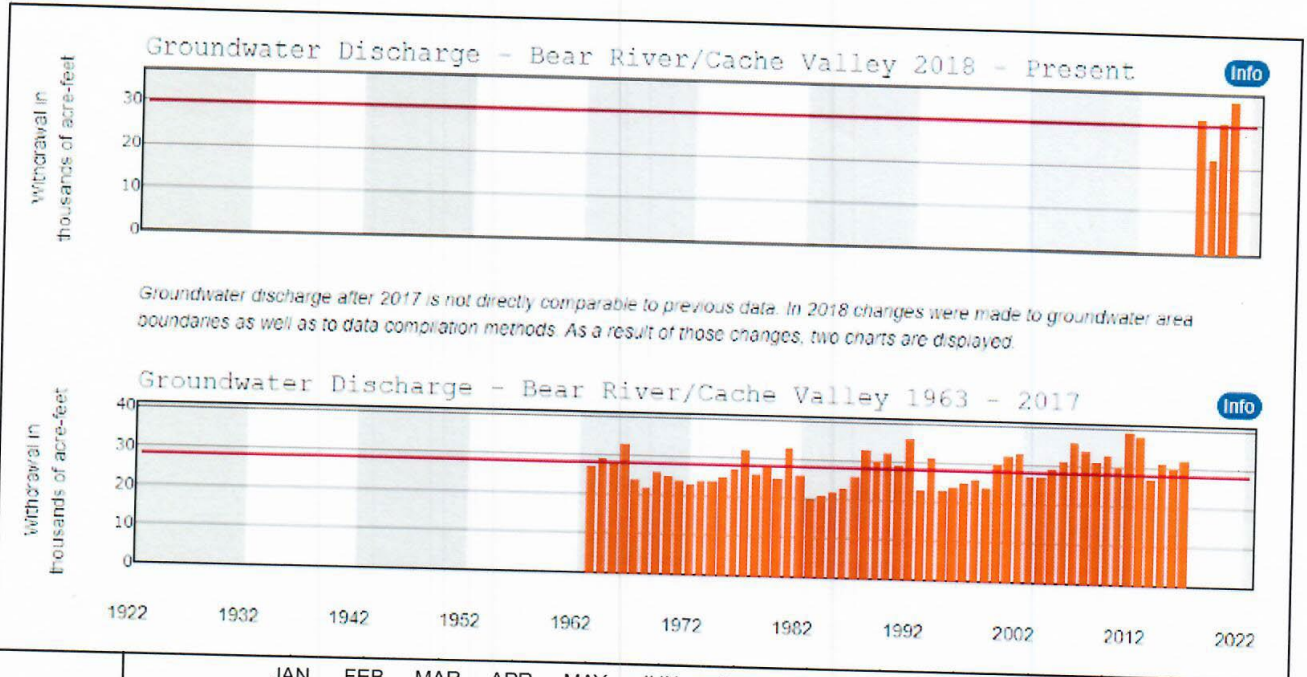
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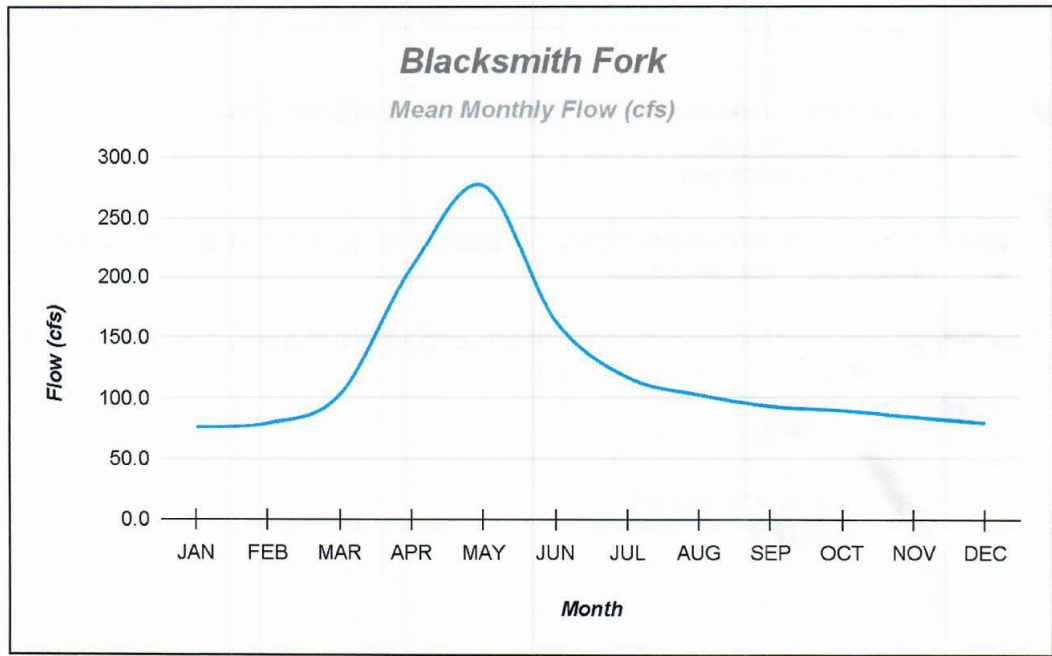
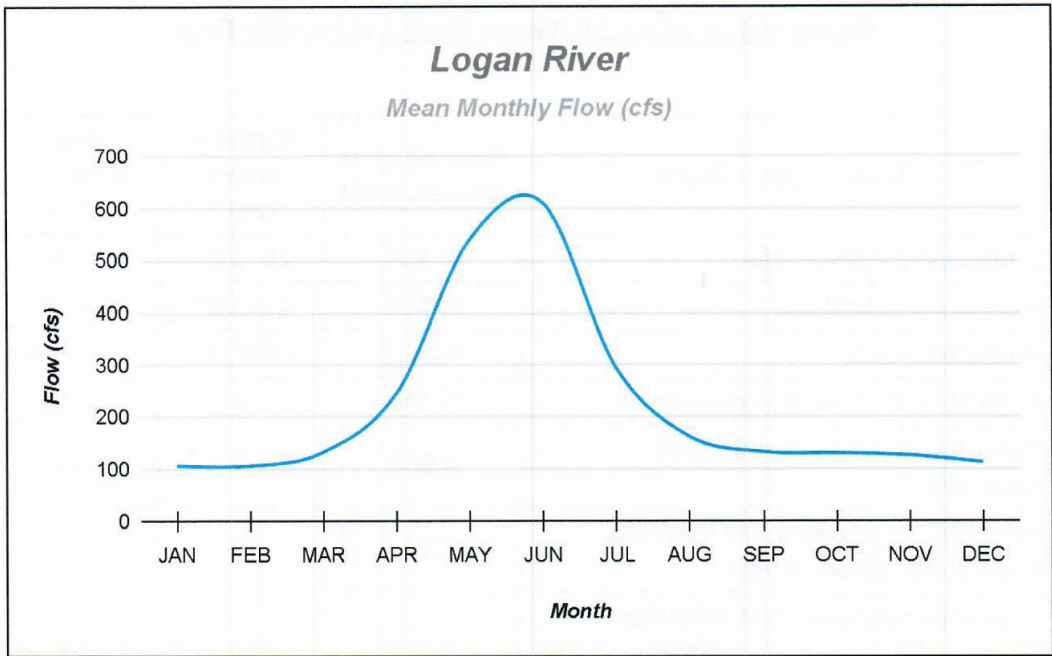
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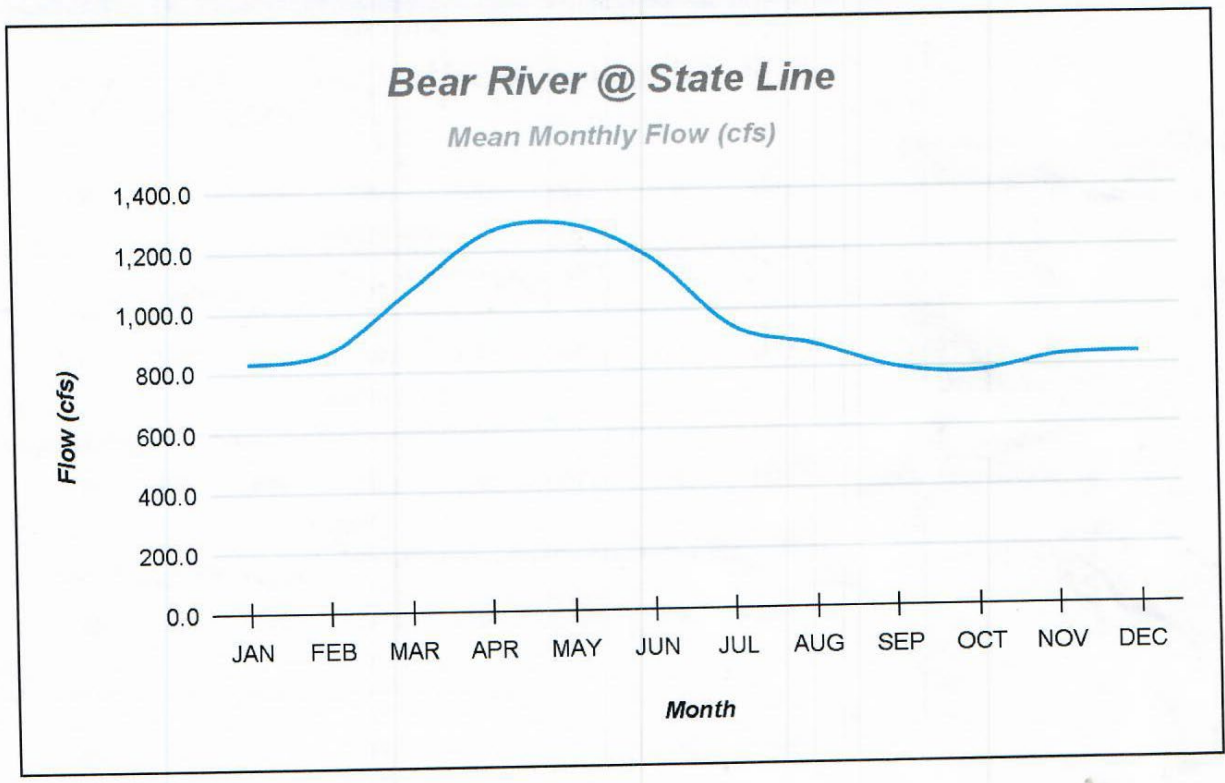
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- Ms. Simmonds asked about the role of individual board members. Mr. Pierce encouraged getting more involved with canal companies and cities to help develop better collaboration. Ms. Neilson asked about member's role in outreach and education; the Board needs to realize that members cannot be an expert in all issues.
- Mr. Hardman said the CWD will provide an annual report and can ask residents what their needs are. Mr. Pierce said some cities can be reluctant to include the District.
- Mr. Hardman said information about the water check program should be shared. Mr. Pierce encouraged being active in meetings and helping to link individuals to programs that may be helpful.
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