

Approved

MINUTES OF THE SPECIAL MEETING OF THE GRANTSVILLE CITY COUNCIL HELD ON MARCH 17, 2009 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 6:00 P.M.

Roll Call - Mayor and Council Members: Mayor C. Byron Anderson; Council Members Brent Marshall, Paul Rupp, Todd Castagno and Mike Johnson were present. Councilman Tom Tripp was excused.

Appointed Officers and Employees Present: Attorney Ron Elton, Public Works Director Joel Kertamus, City Engineer Craig Neeley and City Recorder Rachel Wright.

AGENDA:

1. Consideration of Grantsville City Water Rights Report and Recommendations.

Craig Smith and Mike Jensen, were present, representing Smith-Hartvigsen, Attorneys at Law. This firm had been asked to research the City's water rights and provide a report of all of the City's water rights and recommendations in order for the City to determine the status of its water rights and how they can be maintained and improved.

Craig Smith reviewed with the Council the "paper water rights" that were in the City's name, the approved points of diversion, the historical use of the City's water rights and the shares of the Grantsville Irrigation Company water that the City owned. Mr. Smith indicated that the City has very good water rights that should allow for future growth.

Mr. Smith made the following recommendations to improve the City's position with respect to its water rights:

- a. That the City file a change application on water right number 15-1060 to change its permitted use from irrigation to municipal, to change the point of diversion to allow use of that right out of one or all of the City's active wells and to change the place of use to the entire service area of the City.
- b. That the City continue to pursue the change application on water right number 15-1937 to segregate out the City's portion and obtain a new water right number. This water right will be held by the City for Allan Patch's water right banking arrangement.
- c. That the City pursue a change application to allow the City to draw any of its water rights from any of its active wells.
- d. That the City conduct a study and prepare a report to determine the City's reasonable future water requirements for the next 40 years, within the City's projected service area.
- e. That the City create a water use schedule and documentation to show that a different set of water rights is used once each six years.

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Motion: Councilman Marshall made a motion to approve the above recommendations and to authorize Smith Hartvigsen to pursue items a through c on behalf of the City, that the City Engineer conduct a study and prepare a report as recommended in item d above and that the Public Works Director implement recommendation e. Councilman Johnson seconded the motion. All council members present voted in favor and the motion carried.

Craig Smith made other suggestions and recommendations, but the City Council wanted to wait to receive the future 40 year water requirements study and report before it considered any other options.

2. Adjourn.

Motion: Councilman Marshall made a motion to adjourn. Councilman Johnson seconded the motion. All voted in favor and the meeting was officially adjourned at 7:23 p.m.