

MINUTES OF A SPECIAL CITY COUNCIL MEETING HELD APRIL 7, 2009 AT THE CIVIC CENTER, 83 WEST MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 p.m.

**CONDUCTING:** Mayor W. Dean Howard

**ROLL CALL:** Councilmembers Paul C. James, Thomas C. LaBau, and Craig Rasmussen present.

**EXCUSED:** Councilmembers Martin L. Felix, and Stephanie Miller

**CALL TO ORDER:** There being three members present and three members representing a quorum, Mayor Howard called the meeting to order.

**OTHERS PRESENT:** City Administrator D. Brent Jensen and Gary Clawson, Michael Clawson, and Jared Clawson. City Recorder Stephanie Fricke recorded the minutes.

**WELCOME:** Mayor Howard welcomed everyone in attendance.

**AGENDA:** A copy of the notice and agenda for this meeting was faxed to The Herald Journal, mailed to each member of the governing body, and posted at the Civic Center more than forty-eight hours before meeting time.

#### AGENDA

4. SCHEDULED DELEGATIONS:
  - A. Gary Clawson - To request trading Hyrum Irrigation shares for Hyrum City's Highline Canal shares.
5. ADJOURNMENT

#### **SCHEDULED DELEGATIONS:**

#### **GARY CLAWSON - TO REQUEST TRADING HYRUM IRRIGATION SHARES FOR HYRUM CITY'S HIGHLINE CANAL SHARES.**

Jared Clawson said his family owns a farm on the east side of Hyrum and they have been flood irrigating the fields that are watered with Hyrum Irrigation shares that come out of the O'Berry Ditch. Rather than flood irrigating these fields they want to sprinkle the ground, but in order to do that they need additional Highline Canal shares. The Highline Canal is high enough on the hill that it will pressurize a line to run a sprinkler system where Hyrum Irrigation shares won't. They want to trade or lease Hyrum City's Highline Canal shares for their Hyrum Irrigation shares. They have tried to determine the amount of water a share represents, but it varies from year to year, depending upon water supplies and stream size. Each share in the Highline Canal

represents one-acre feet of water. Hyrum Irrigation shares diverted through the O'Berry Canal represent four-acre feet of water. The Clawsons want to exchange 176 shares of Highline Canal stock for 44 shares of Hyrum Irrigation stock.

Gary Clawson said if the City agrees to a lease or trade of shares there will be more water for the City. A sprinkler system will use 1/3 of the water that flood irrigating uses. If they switch to a sprinkler system the excess water could be used by Hyrum City.

Mayor Howard said the Clawsons would need to provide Hyrum City with some sort of written proof that the O'Berry Ditch shares represent four acre-feet.

Councilmember James said he would be more comfortable with an agreement leasing the shares to the Clawsons rather than trading shares. Hyrum City may need the shares in the future and if the Clawsons sell their land the City may not get the water back.

Mayor Howard said the agreement could be written that if the Clawsons sell their land the water reverts back to the original owners.

**ACTION**

**Councilmember James made a motion for an agreement to be written between Hyrum City and the Clawson Family to approve a trade of equal amount of water from the Highline Canal (owned by Hyrum City) for Hyrum Irrigation (owned by the Clawson Family). The agreement needs to include a statement that if in the future ownership of the land changes the water reverts back to the original owners. Councilmember Rasmussen seconded the motion.**

**Councilmember Rasmussen amended Councilmember James' motion by including the approximate equal value of the water shares will be determined by the prospective parties. Councilmember LaBau seconded the motion and all three councilmembers present voted aye.**

**Mayor Howard called for a vote on the original motion and all three councilmembers present voted aye.**

Michael Clawson said they are working with NRCS to receive federal funding to help them with the cost of a sprinkler system. They have to submit an application by April 15 and need a letter from Hyrum City stating it is in the process of working on an agreement with the Clawsons. If an agreement is reached with the City on the trade of shares and they receive funding they will need the water next spring.

The City Council authorized City Administrator D. Brent Jensen to write a letter stating the City is working out an agreement with the Clawsons.

Michael Clawson discussed the possibility of connecting several landowners on the east side of Hyrum to the pressurized irrigation system. If these landowners were connected to the pressurized irrigation system it would benefit the farmers because then they could sprinkle their fields and Hyrum City would benefit from the excess water saved from sprinkling rather than flood irrigating.

**ADJOURNMENT:**

**ACTION**            **There being no further business before the City Council, the Council Meeting adjourned at 7:55 p.m.**

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W. Dean Howard  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder

Approved:     May 7, 2009      
            As Written