



**Timber Lakes Water  
S.S.D.**

**Timber Lakes Water Special Service District**

Wasatch County Offices

25 North Main

Heber City, UT 84032

435-654-0125

March 11, 2014

5:00 p.m.

**Meeting with LDS Church Meeting Minutes**

**Chairperson:** Neil Anderton

**Board Attendees:** Neil Anderton, Steve Farrell, Reg Anderson, Ralph Lewis, Michael Wheelwright and Franco Leno.

**TLW Personnel and Legal Counsel Attendees:** Jody Defa, Carol Baker, Duane Moss and Jared Moss

**Guests:** Bruce Finley, Grant Cooper, Eric Robinson, Brian Valise, representing the LDS Church. Eric Franson is representing Franson Engineering.

The meeting began at 5.00 p.m.

The meeting opened with introductions.

Grant Cooper has responsibility over the water rights for the LDS Church. He is fully acquainted with the water right issues from Veigh Cummings on up.

Eric Robinson will be taking over many of Bruce Finley's responsibilities.

The LDS Church began building the girls' camp and gave some of the property they acquired to the Property Reserve Incorporated (PRI), a subsidiary of the Corporation of the Presiding Bishopric, which is not to be confused with the Church of Jesus Christ of Latter-day Saints.

There was a diligence claim filed in 2007.

Brian Valise is the administrator of the property reserve.

The church, itself operates entirely through Subsidiary Corporation.

The Suburban Land Reserve (SLR) acquired the excess west side of the property, part of the Veigh Cummings original property. In 2007 SLR purchased the West Side Spring from the PRI. The West Side Springs is on the west side property.

The diligence claim is for the entire 7,000 acres. The West Side Spring is identified as #6 in the diligence claim.

The proposed exchange, by adding four sections that we have used from the beginning, requires a change application. These are the major concerns of Timber Lakes Water Special Service District. Ran easement- LDS Church went ahead with diligence claim, which covers the entire property.

Duane Moss asked what the LDS Church foresees their needs are. The Church's response is that they are not very developed.

Timber Lakes Water has 648 acre feet (water) and the LDS Church has 447 acre feet (water).

There is sufficient water developed for the existing girl's camp facilities.

The LDS Church had a discussion with Twin Creeks Special Service District regarding development on the west side area, and the possibility of drilling a well with Twin Creeks S.S.D.

The camp is around 2,500 to 2,800. It is possible that the camp will be expanded.

The LDS Church spring is for private residential use?

The Horrocks Engineer study shows 25 to 40 gpm on the West Side Spring.

Timber Lakes Water commented that in order to use the West Side Springs, we would need to pump, and there are generating costs with the pumping. It would be better if we could bring it down the hill, rather than pump.

Timber Lakes Water could pump from the tank on Ridgeline (that the LDS Church gave us).

Timber Lakes Water's point long term is that it is easier to pull it out and develop properly; for future development, we would prefer to bring water from up above.

The LDS Church commented that to develop water services in canyon would benefit both Timber Lakes Water and the Church.

The swap on the Cove Springs was a win/win situation. We both paid for part of it, and that worked well. The bulk of the water originates from the Cove Springs.

The LDS Church isn't sure it would be an advantage to them to take the West Side Spring in lieu of the water they are entitled to out of the Cove Springs.

The LDS Church asked if there are other factors, in terms of water quality. Timber Lakes Water responded there were some bad samples in the past because the spring was not properly protected.

Timber Lakes Water asked how far away from where our system ends, to where the Subsidiary of the Corporation of the Presiding Bishopric (CPB) is planning to develop residential property. The LDS Church responded it is hard to say until it is developed. We don't know where we are developing until it is under way.

We are talking about a potential exchange of water. Where would the wet water come from? Jody Defa stated it could only come from the Cove Spring, that we know of that is developed right now. The LDS Church is currently taking their portion out of the Cove Spring.

Grant Cooper asked how Cove Springs are utilized for the LDS Church. Jody Defa responded the Church has not utilized it much, but we can understand why they want the opportunity for capacity use. We can't develop because of the state engineer and because of the diligence claim, not made by the church but we must address the church.

The LDS Church explained that the camp is not authorized to do any of the deals. The agreement we (TLW) have is with the CPB (corporation of presiding bishop).

Jody Defa stated he wants to cooperate with the LDS church camp, but if we go to develop, we are not dealing with the camp, we are dealing with the business side of the church. The LDS Church said the church camp doesn't have authority. The agreement we have is with the CPB (corporation of presiding bishop).

The LDS Church inquired to the timing on this issue; Timber Lakes Water's response is that it is negotiable.

Bruce Finley commented that the LDS Church and Timber Lakes Water's interests are nearly 100% the same.

One of Bruce Finley's activities is to get the LDS Church out of the water business.

The suggestion was made to get Timber Lakes Water together with the SLR and see if there is a possible exchange.

Brian Valise stated that they (LDS Church) need time to wrap their minds around this discussion. This is an investment property decision, and the church has the operating service agreement which consummates that water exchange in the cove area.

Timber Lakes Water mentioned they have the letter and proposed water rights agreement that was sent to the LDS Church. The church stated they could take this information to management and see if there is an appetite to consider.

The LDS also mentioned that some agreements are not recorded; the 1995 agreement was not recorded, but is written.

The biggest problem with the West Side Springs is the 25 gpm; it is not enough to be negligible.

Neil Anderton commented that Timber Lakes Water would appreciate Duane Moss working with the LDS Church and address any issues.

Jody Defa commented that 200-250 out of 825 lots are full time households. If we had all full time households, we would be in a world of hurt.

The Church believes they need to amend the A12125, for part time residents, and get it to match what our actual usage is.

The LDS Church questioned if there is another wet source that has not been developed, and Jody Defa responded yes, but the source is not economical to get to.

Meeting adjourned at 6:15 pm.