

## RESOLUTION NO. 00-14

### ROLL CALL

VOTING	YES	NO
MAYOR DALE R. BARNEY <i>(votes only in case of tie)</i>		
SHERMAN E. HUFF <i>Councilmember</i>	X	
LILLIAN J. SHEPHERD <i>Councilmember</i>	X	
GLENN A. JAMES <i>Councilmember</i>	X	
ROY L. JOHNS <i>Councilmember</i>	X	
EVERETT KELEPOLO <i>Councilmember</i>	<i>(absent)</i>	

I MOVE this resolution be adopted: Councilmember Huff

I SECOND the foregoing motion: Councilmember James

### RESOLUTION 00-14

#### A RESOLUTION SUPPORTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTH UTAH VALLEY MUNICIPAL WATER ASSOCIATION AND THE CENTRAL UTAH WATER CONSERVANCY DISTRICT

WHEREAS, Spanish Fork City is a member of the South Utah Valley Municipal Water Association; and

WHEREAS, the South Utah Valley Municipal Water Association has been negotiating with the Central Utah Water Conservancy District, Strawberry Water Users Association, and the Department of Interior concerning Central Utah Project (CUP) water and its availability for municipal use; and

WHEREAS, the four entities have been unable to reach any consensus; and

WHEREAS, South Utah Valley Municipal Water Association and the Central Utah Water Conservancy District have been able to reach a memorandum of understanding; and

WHEREAS, Spanish Fork City supports the memorandum of understanding reached between South Utah Valley Municipal Water Association and the Central Utah Water Conservancy District; and

WHEREAS, it is in the best interest of Spanish Fork City to have the South Utah Valley Municipal Water Association enter the memorandum of understanding with Central Utah Water Conservancy District; and

WHEREAS, by entering the memorandum of understanding with the Central Water Conservancy District, the South Utah Valley Municipal Water Association is procuring additional water supply for an increasing population and increased water demands;

NOW THEREFORE, be it resolved by the Spanish Fork City Council as follows:

1. Spanish Fork City supports South Utah Valley Municipal Water Association and the memorandum of understanding between the Association and the Central Utah Water Conservancy District, which memorandum is attached hereto.
2. Spanish Fork City authorizes its board member to the South Utah Valley Municipal Water Association to vote in favor of and to execute any documents necessary to finalize the memorandum of understanding between the South Utah Valley Municipal Water Association and the Central Utah Water Conservancy District.
3. Spanish Fork City further encourages all four entities, the South Utah Valley Municipal Water Association, the Central Utah Water Conservancy District,

Strawberry Water Users Association, and the Department of Interior to cooperate on water issues as they relate to the Central Utah Project and providing water to an increasing population in South Utah County.

4. This resolution is effective immediately.

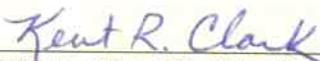
DATED this 2<sup>nd</sup> day of May, 2000.

## SECTION II

This resolution adopted this 2<sup>nd</sup> day of May, 2000, by the City Council of Spanish Fork City, Utah.

  
DALE R. BARNEY, Mayor

ATTEST:

  
KENT R. CLARK, City Recorder

FORMBOOK RES00 14



# DRAFT

## MEMORANDUM OF UNDERSTANDING BETWEEN THE CENTRAL UTAH WATER CONSERVANCY DISTRICT AND THE TEN CITIES OF SOUTH UTAH COUNTY THROUGH SOUTH UTAH VALLEY MUNICIPAL WATER ASSOCIATION

This Memorandum of Understanding ("MOU") is made and entered into by and between the Central Utah Water Conservancy District, a political subdivision of the State of Utah, ("District") and the South Utah Valley Municipal Water Association, an interlocal cooperation agency, ("Agency")-this \_\_\_\_\_ day of \_\_\_\_\_, 2000 in Utah County, Utah.

*Association*

### RECITALS

- A. The District is a water conservancy district organized and existing in accordance with the laws of the State of Utah which was organized for among other things to develop water supplies for the inhabitants of the District and to provide for the general welfare of those who reside within the District's boundaries.
- B. The Association is an interlocal cooperation agency created pursuant to law by its member municipalities in South Utah County for the purpose of jointly acquiring municipal and industrial water supplies to meet the anticipated water supply needs of their growing populations, and for the greater efficiency of distribution through consolidated facilities and water works.
- C. The Association has determined through studies that it may need up to 65,000 acre-feet of M&I Water to meet the reasonably foreseeable demand for water as their populations grow over the next several decades, and the Association desires to work with the District in the development and acquisition of this M&I Water supply.
- D. Under the CUPCA the District has been authorized and directed to complete the planning and NEPA compliance for the Bonneville Unit of the Central Utah Project. The District will be developing alternative plans for the Utah Lake Drainage Basin Water Delivery System which will include providing water for municipal and industrial water demands as well as acquiring and developing other water supplies ("Non-Project Water Supplies") for sale under long-term and/or perpetual contracts. The District is willing to recognize in

the planning the Association's need for water from both Project M&I Water and Non-Project Water supplies to meet the anticipated water demands for South Utah County.

**UNDERSTANDING:**

NOW THEREFORE, the parties hereto set forth in this memorandum their understandings regarding the need to incorporate an M&I Water supply for South Utah County in an alternative to be developed by the District for the Utah Lake Drainage Basin Water Delivery System:

1. The District and the Association will work diligently together for up to 65,000 acre-feet of M&I Water, from the District, in the Utah Lake Drainage Basin Water Delivery System, which may come from any combination of Project M&I Water and Non-Project Water developed by the District.
2. The District will complete all NEPA compliance requirements for a plan that includes the necessary facilities to make this M&I Water supply available to the Association. This may include a regional water treatment facility, terminal raw water and treated water storage facilities and distribution facilities to deliver the water to the Association at its desired places of delivery.
3. Upon completion of the planning and NEPA compliance, the Association will, if appropriate, enter into contracts with the District for the acquisition, incremental delivery and payment of up to 65,000 acre feet of M&I Water and required facilities as agreed to for use by the Association and its member cities.
4. That this MOU is entered into as an expression of the parties mutual intent to work together in good faith to include the necessary M&I Water supply for South Utah County in Utah Lake Drainage Basin Water Delivery System planning and NEPA process.

The parties hereto have signed this MOU the day and year set forth above.

**CENTRAL UTAH WATER  
CONSERVANCY DISTRICT**, A Political  
Subdivision of the State of Utah

**SOUTH UTAH VALLEY MUNICIPAL  
WATER ASSOCIATION**, An Interlocal  
Cooperation Agency of the State of Utah

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Attest: \_\_\_\_\_  
Secretary

Attest: \_\_\_\_\_