

# Town Council Work Session

## Meeting Minutes

May 14, 2026, 6:00 PM

### Town Council Work Session

Thursday, May 14, 2026 | 6:00 PM | Levan Town Hall, 20 North Main Street, Levan, UT

Present: Mayor Tyler Shepherd. Council members: Rachel Goates, Ray Evans, Jerry Spence. Absent: Chris Chipping (resigned) Quorum established.

Also Present: Christine Carrigan (Clerk), Chantal Rowley (Treasurer), Chelsea Carle (recorder), Elaina Jenson (deputy clerk), Dan and Virginia Green, Brayden Gardner (R6), McCall Carter (R6), Kyler Nielsen (Jones & DeMille), Parker Vercimak (Jones & DeMille), Carol Bennett, Brady Taylor, Layne Burningham (UMPA), Shay Morrison (R6)

Mayor Shepherd opened the work session at 6:05PM

## 1. Presentation On Water Options/ASR For The Town Of Levan – Jones And Demille Engineering

Parker Vercimak and Kyler Nielsen of Jones and DeMille Engineering presented an update on the Aquifer Storage and Recovery (ASR) program being developed for the Town of Levan.

**Application Status:** The engineers reported that the ASR application to the Division of Drinking Water is nearly complete. A draft was submitted several weeks prior, and the Division offered feedback primarily related to water quality monitoring report requirements — specifically around quarterly and monthly updates. Those adjustments have been incorporated, and the application is ready for final submittal. Concurrently, the team intends to submit a change application to the Division of Water Rights as soon as the drinking water authorization is obtained, given that the water rights process tends to move slowly.

**Pilot Program:** Upon receiving authorization from the Division of Drinking Water, the town will make the infrastructure improvements necessary to inject spring water into the well and operate the system for one year. That pilot period will allow monitoring for any water quality effects resulting from the injection. Assuming no issues arise — which the engineers anticipated — the town would then receive a full operating permit from the Division of Drinking Water.

**How ASR Works and Why It Benefits Levan:** Parker provided a high-level overview of the two-part ASR framework. The Division of Drinking Water component governs the water system and usage, while the Division of Water Rights component governs year-to-year carryover of stored water. Without the water rights side of the program, any water banked must be used within the same calendar year or it is forfeited. With the water rights approval, the town could carry stored water from year to year, building a multi-season reserve. The engineers noted that even without year-to-year carryover, there is still significant value in recharging the aquifer during low-demand months.

**Water Level Concerns:** Town staff noted that the water table in the town's well had dropped approximately 40 feet in recent months, attributed in part to an unusually early start to agricultural pumping across the valley. The ability to monitor the water level daily allows the town to manage pump operations and avoid mechanical damage. It was observed that the town currently uses only about 50 percent of its water rights on an annual basis, with demand concentrated in the summer months. In the winter, the town uses roughly 100 gallons per minute, while overflows from the springs go largely unused.

**Peak Day Deficiency:** The town's current water rights are capped at 350 gallons per minute. However, the Division of Drinking Water's peak day demand standard requires approximately 400 gallons per minute — leaving the town 50 gallons per minute deficient. The engineers noted that through ASR, water banked during

the low-demand months of January through April could effectively address this deficiency, since water injected into the ground can be withdrawn at any flow rate, unlike the spring water which is restricted to the 350 GPM diversion limit.

**Projected Storage:** Even in a dry year, the engineers estimated the town could reasonably bank approximately 13 acre-feet by diverting 20 gallons per minute during the first five months of the year. In a wet year, that figure could range from 80 to 120 acre-feet. Town staff noted that 100 gallons per minute over four months — water currently being wasted — would equal approximately 53 acre-feet, illustrating the potential scale of what has been lost without this program in place.

**Cost Comparison:** The engineers estimated the infrastructure cost for ASR at between \$100,000 and \$200,000, which they characterized as a strong value relative to the cost of purchasing equivalent water rights outright. It was noted that if the town could only pursue one option, the ASR program likely offers the best return on investment — though acquiring additional water rights alongside ASR would be ideal.

**Current Water Rights Adequacy:** Parker noted that the town's most recent master plan update showed Levan is generally adequate for average annual demand given current growth trends, but the 50 GPM peak day gap remains a concern. He also recommended that the master plan be reviewed on a regular basis, as it has a functional shelf life of 10 to 15 years depending on growth rates. He strongly endorsed the town's existing practice of requiring incoming annexations to bring water rights with them, calling it a best practice that helps prevent communities from falling behind on water security.

## 2. Water Rights For Sale – Brayden Gardener

Brayden Gardner, representing R6 as Agripark's broker, presented information regarding water rights available for purchase by the town.

**Background on R6 and Agripark:** Gardner explained that R6, a regional government entity, had undertaken an economic development initiative centered on creating an agricultural business park ("Agripark") in Central Utah. After identifying a site near Levan, R6 acquired a substantial amount of land and water rights in anticipation of the project. However, a new location — north of Nephi, near the north interchange and adjacent to existing utility infrastructure — was ultimately selected due to significantly lower infrastructure costs, estimated at \$20 to \$40 million in savings. Because the water rights could not be transferred to the new location, they became surplus and were made available for resale. Gardner emphasized that there was never any intent to buy and resell the water for profit; the resale is a direct consequence of the location change.

**Available Water:** Gardner indicated there are approximately 200 acre-feet of water currently available. The water is presently being used under an agricultural use agreement with the original sellers while the ownership transfer process proceeds. The pricing discussion was deferred to a subsequent closed session, as R6 intended to offer pricing specific to the town that differs from what is available to individual buyers. General pricing is listed publicly on R6's website.

**Conversion and Change Application Process:** Discussion addressed whether the water rights would require a change application to convert from agricultural to municipal use, and what percentage loss, if any, the town would incur in that conversion. Gardner and the engineers noted that the key variable is whether the water is already underground — which it is in this case — and whether the community has a sewer system or relies on septic. Because Levan is entirely on septic, the depletion rates for agricultural irrigation and municipal use would be similar, making a significant "haircut" unlikely. Town leadership referenced a conversation with Hayden Coombs, the regional engineer at the Division of Water Rights, who confirmed that for an underground-to-underground transfer in a septic-served community, the town should receive the full acre-foot for acre-foot it purchases. The engineers concurred, noting the outcome would be confirmed through the formal change application process before the purchase is finalized. By contrast, Gardner cited an example from Salina City, which lost approximately 36–37 percent of its water in a conversion because it involved surface water being converted to underground use in a community with sewer lagoons.

**Purchase Process:** Gardner described R6's approach to the sale as buyer-protective: the parties would enter into a contract, R6 would assist with facilitating the change application, and the town would not be required to complete the purchase until the change application is approved, eliminating uncertainty about what the town would actually receive.

### 3. Closed Session

A motion was made to enter into a closed session to discuss the pricing of the water rights by Jerry Spencer. The motion was seconded by Ray Evans, and all present voted in favor. The motion carried.

**Return to regular session at 7:00 pm.**

### 4. Adjourn

Motion to adjourn by Rachel Goates, Seconded by Jerry Spencer. All in favor. Work Session adjourned at 7:01 PM.

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Christine Carrigan, Clerk