

**TOWN OF PATAGONIA**  
**SPECIAL COUNCIL WORKSHOP MEETING MINUTES**  
**OCTOBER 15, 2014**  
**6:00 P.M.**

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1. CALL TO ORDER Mayor Isakson called the meeting to order at 6:07 p.m.

PRESENT: Mayor Isakson, Vice-Mayor Wood, Council Members Coleman and Gilbert  
(BY PHONE)

ABSENT: Council member Quiroga

STAFF PRESENT: Town Manager Teel, Deputy Clerk Van Nest , Town Water  
Attorney Weatherspoon, Marshal Patterson. Deputy York.

Public present included: Shafer, Cervantes, Montoy, Klein, Isakson, Ashcraft, Munroe,  
O'Connor.

2. DISCUSSION AND POSSIBLE ACTION RECOMMENDING TO STAFF  
CONCERNING:  
A. WATER RIGHTS ATTORNEY WEATHERSPOON'S DISCUSSION ON  
PATAGONIA WATER RIGHTS AND THEIR PROTECTION, POSSIBLE  
DEVELOPMENT OR EXPANSION.

Mr. Weatherspoon described the various legal types of water in AZ including surface  
water, ground water and subflow which is considered surface water. He also stated that  
developing a well or wells on the San Jose de Sonoita grant property would not give the  
town any additional rights.

He described how the "cone of depression" from a ground water well. If the cone of  
depression intercepts subflow then that well is subject to the ongoing adjudication  
proceeding, He indicated that one strategy would be to file an application to appropriate  
with respect to any captured subflow, however, such an approach is not without risk since  
submitting such an application would constitute an admission that the well is pumping  
subflow. He said that he would review the town's water-related filings, including the  
filings under the water rights registration act, in order to determine what our legal rights  
situation was.

He also indicated that if we could demonstrate that our subflow was hydrologically  
distinct from the surface water alluvium we could maintain the position that it was  
ground water rather than surface water. This might be done by review of well drilling  
records indicating an impervious barrier between the layers.

Mr. Teel is to take him the records for review.

B. THE PROPOSAL FOR A STUDY OF THE AQUIFER CONFIGURATION AND CHARACTERISTICS. It was agreed that Council is not ready to address this study yet.

3. FUTURE AGENDA ITEMS: AT THIS TIME THE COUNCIL MAY BRING FORTH TOPICS FOR FUTURE AGENDAS, AND IF PREVIOUSLY REJECTED BY THE MAYOR, THE COUNCIL MAY VOTE ON CODE WHETHER TO PLACE THAT ITEM ON A FUTURE AGENDA PURSUANT TO SECTION 2-5-5 OF THE CODE OF THE TOWN OF PATAGONIA, ARIZONA. THE COUNCIL MAY NOT DISCUSS, DELIBERATE OR TAKE ANY ACTION ON THE SUBSTANCE OF THE TOPICS OTHER THAN TO VOTE TO INCLUDE THEM ON A FUTURE AGENDA. A.R.S. §38- 431.02(H).

4.. ADJOURN.

**MOTION:** Council member Gilbert moved to ADJOURN

**SECOND:** Council Member Coleman

**VOTE:** The Motion passed by a vote of 4-0 with Council Members voting as follows:

**AYES:** Mayor Isakson, Vice-Mayor Wood, Council Members Gilbert and Coleman

**NAYS:** None

**ABSTAINERS:** None

**ABSENT:** Council member Quiroga

The meeting was adjourned at 6:57 p.m.

I hereby confirm the foregoing minutes are a true and accurate copy of the minutes of a Special Council Workshop Meeting held October 15, 2014 at 6:00 P.M. I further certify that the meeting was duly called, held, and that a quorum was present.

Dated this \_\_\_\_\_ Day of \_\_\_\_\_, 2014.

APPROVED: \_\_\_\_\_