

Jeffrey D. Brunson, ISB No. 6996
Robert B. Knudsen, ISB No. 11172
Beard St. Clair Gaffney PA
955 Pier View Drive
Idaho Falls, ID 83402
Telephone: (208) 359-5883
Facsimile: (208) 359-5888
Email: jeff@beardstclair.com
rknudsen@beardstclair.com

Attorneys for Plaintiff

**DISTRICT COURT SEVENTH JUDICIAL DISTRICT
TETON COUNTY IDAHO**

CITY OF VICTOR, a political subdivision
of the State of Idaho,

Plaintiff,

vs.

CITY OF DRIGGS, a political subdivision
of the State of Idaho,

Defendant.

Case No.: CV41-26-0062

DECLARATION OF JEREMY BESBRIS

I, Jeremy Besbris, hereby declare as follows:

1. I am over the age of eighteen, am competent to testify, and do so from personal knowledge.

2. I am the city administrator for the City of Victor, and have been personally participating in discussions, meetings, and settlement negotiations with the City of Driggs over intercity wastewater plant management and fees.

3. Wastewater rates for City of Victor residents have recently increased approximately \$30 per month due to the City of Driggs' refusal to honor previous wastewater contracts between the two cities.

4. The wastewater rates are expected to rise even more to cover debt for capital costs, and Victor residents now face \$10,000,000.00 in debt service over the next decade from Driggs' refusal to uphold its obligations.

5. There have been several recent articles written by the Jackson Hole News & Guide covering the wastewater dispute between Victor and Driggs.

6. A true and correct copy of the article "Mediation documents peel back wastewater divide between Driggs and Victor", published on February 25, 2026 and updated February 27, 2026, is attached hereto as Exhibit A.

7. A true and correct copy of the article "Council approves \$15,000 communications contract amid debate over public trust", published on February 19, 2026, is attached hereto as Exhibit B.

8. A true and correct copy of the article "As critics lawyer up, Victor, Idaho, seeks approval to borrow \$35 million for wastewater plant", published on November 11, 2025, is attached hereto as Exhibit C.

I declare under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

DATED: March 5, 2026.

DocuSigned by:

6AEC728CF5604EE...
Jeremy Besbris

Exhibit A

https://www.jhnewsandguide.com/news/teton_valley/mediation-documents-peel-back-wastewater-divide-between-driggs-and-victor/article_e4dc8467-b2f4-423f-8027-a89dfdc43cae.html

Mediation documents peel back wastewater divide between Driggs and Victor

Victor declined an offer for \$3.25 million in fee forgiveness. The city condemned Driggs' decision to release information.

By Jeannette Boner / Public Safety Reporter
Feb 25, 2026



A newly surfaced letter is shedding light on a mediation process that has largely remained confidential amid an ongoing dispute between the cities of Driggs and Victor over the future of wastewater treatment in Teton Valley.

~~We promise to never sell your data.~~ The Jan. 22 letter, sent after a nine-hour mediation session, outlined what Driggs described as a final settlement offer tied to splitting the cities.

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)

Among other things, Driggs proposed waiving more than \$3.25 million in fees that it said Victor owes – if the southerly city built its own wastewater treatment plant and separates from the cities’ shared system by 2030.

The existing plant, owned and operated by Driggs, has been plagued by pollution problems. The U.S. Environmental Protection Agency, Department of Justice and State of Idaho placed it under a consent decree to correct those problems, requiring it to pay \$400,000 and replace the plant by 2030.

For decades, Victor has tied into Driggs’ system. Recently, it has tried to opt out of the rebuild.

Mediation was intended to resolve growing conflicts between the valley’s two largest cities over wastewater treatment. The mediation was requested by the City of Victor.

The effort ended in an impasse, with Victor declining the final offer and choosing to build its own plant anyway. Victor has not provided a public timeline for construction of its new facility or when it plans to disconnect from Driggs.

Declined offer

During a Jan. 22 public meeting, Victor’s attorney, Herb Heimerl, said leaders could not discuss the outcome of mediation. Instead, Victor declined the final offer through an email exchange involving Mayor Will Frohlich, City Councilor Sue Muncaster and Driggs Mayor August Christensen, according to a public records request submitted by former Teton County, Idaho, Commissioner Cindy Riegel. Another Teton Valley resident shared that request with the News&Guide.

We promise to never sell your data.

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)

 Download PDF



Blake G. Hall
Sam L. Angell
Cory R. Stegelmeier
Dillon S. Erickson
Logan M. Haglund
Justin R. Walter

January 22, 2026

sent via email: jtcrowley@smithcurrie.com

John T Crowley, Esq.
Smith Currie Oles
2700 Marquis One Tower
245 Peachtree Center Ave NE
Atlanta, GA 30303

RE: Mediation – Settlement Offer from Driggs

Dear Mr. Crowley,

I am writing to memorialize the last settlement offer that Driggs made to Victor at mediation yesterday evening. After nearly nine hours of negotiation, and after all parties had made significant concessions and substantial headway toward finding a middle ground, the City of Victor inexplicably rejected (without making any counter-offer) an objectively reasonable offer presented to Victor by the City of Driggs.

That offer was centered on the concept that Victor would move forward with building its own treatment plant (WWTP). The following is a written outline of the terms of the offer:

Both Parties Agree:

1. Both parties agree that they would enter a settlement agreement that would resolve all issues currently governed by the 2011 Inter-City Agreement. The settlement agreement would supersede the 2011 Inter-City Agreement, and the the 2011 Inter-City Agreement would no longer govern the relationship between the parties in regard to treatment of wastewater.
2. Both parties agree that Victor will have until October 1, 2030, to complete its own WWTP and, by that date, will disconnect from the Driggs WWTP. This is a critical deadline as Driggs anticipates that the new upgrades (currently more than a year under-way) to Driggs' WWTP will come online on October 1, 2030. The new upgrades are NOT designed to be able to handle all of the wastewater from both Driggs and Victor. In light of that critical design limitation, the parties agree that this settlement agreement must include the following language:

1075 South Utah Ave, Ste. 150
Idaho Falls, Idaho 83402

We promise to never sell your data.

P: (208) 522-3003 F: (208) 621-3008



*also admitted in Montana

www.hasattorneys.com

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)

Riegel has been critical of Victor's decision to build its own plant.

"Council did not accept the offer that was emailed yesterday prior to our meeting," Frohlich wrote on Jan. 22.

Along with the email, the settlement letter was included in the records request. Christensen confirmed the mediation letter's authenticity. The News&Guide could not confirm how many offers or counteroffers were exchanged during mediation.

The Victor City Council has voted to ask courts for approval for a \$35 million loan to build the plant. Victor has also annexed and rezoned the property where it wants to build, prompting a challenge from neighbors. The city has not yet purchased the property.

The council is expected to consider a request from property owners to reconsider annexation and rezoning of an 80-acre parcel intended for a new wastewater treatment plant. The meeting is scheduled for today.

Confidentiality dispute

Victor officials said the documents should not have been released publicly.

In an email to the News&Guide, Victor City Administrator Jeremy Besbris said that releasing the mediation letter was "absolutely wrong."

"Mediation is supposed to be confidential – everyone agreed to that," Besbris wrote. "Turning a private negotiation into a public talking point undermines the process and violates the agreement."

Still, Besbris argued the settlement offer overstated Victor's potential savings.

"If Driggs had absorbed the costs tied to DOJ-mandated upgrades and fines, Victor wouldn't be in this position. Instead, because of their decisions, we're building a new wastewater facility – even though we already paid for half of the existing one," he wrote. "That plant can't be used because Driggs didn't design it properly and then failed to operate it when DFO and EPA flagged problems."

We promise to never sell your data.

This website uses cookies to enhance user experience and to analyze performance and usage on our website. We also share information about your use of our site with our social media, advertising and analytics partners.

Privacy Policy

Driggs City Council President Allison Michalski, who participated in mediation, declined to discuss specifics but told the News&Guide this week that she hopes both cities will eventually allow participants to speak publicly about the process.

Growing tension

Driggs Public Works Director and City Engineer Jay Mazalewski said the city spent nearly nine years trying to address compliance issues at the treatment plant.

“It’s why my beard is gray and my head is bald,” he said.

Mazalewski said staff brought in outside experts, changed operators and experimented with biological and chemical treatments, including attempts to heat wastewater, but the facility could not consistently meet ammonia standards.

“This plant was designed to be expanded by 2030 – that was the timeline,” Mazalewski said. “Regardless, we needed to start planning ahead.”

Victor leaders argued in a December 2024 letter that they were never formally notified about federal compliance problems, according to public information posted on Victor’s website.

“Had Victor been formally notified of the need for the new WWTP facility, it could have made other arrangements and would likely have built its own WWTP,” read the letter to Driggs. Instead, on numerous occasions during 2023 and 2024, Driggs’ staff communicated to Victor that it had through the summer of 2024 to make a decision as to whether to continue the relationship with Driggs.”

Mazalewski said he had provided updates for years.

“I had been giving updates to the City of Victor on our progress and ammonia compliance,” he said. In 2020 those requests stopped, he said.

We promise to never sell your data.

Emails from Driggs sent to the News&Guide show Victor weighing whether to remain a partner or become a customer in 2024. They also show Mazalewski updating Victor on compliance issues.

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [View](#)

Mazalewski said Driggs drafted a customer agreement after Victor indicated it wanted that change, but Victor later decided to build its own plant.

“There seems to be a major hang-up on past billing issues,” he said, adding that acknowledged billing errors contributed to distrust.

Victor has threatened legal action to recoup funds. Besbris did not respond to a question about potential litigation.

“Three years ago, the former city administrator of Driggs and I agreed that our two cities needed to course correct – or we’d find ourselves in court. That wasn’t a threat. It was an honest assessment of just how much was at stake,” Besbris wrote in an open letter posted on social media. “Three years later, we stand on the brink, and only a small part of me is surprised.”

A shifting relationship

In June 2024, Victor voted to remain tied into Driggs’ system, citing limited land for a standalone facility. By March 2025, however, the city opted to separate and pursue its own mechanical wastewater treatment plant.

Victor’s outside law firm based in Georgia, Smith Currie Oles, argued separation was prudent due to billing disputes and compliance concerns. Driggs officials said the city continued accepting Victor’s wastewater while moving forward with federally required upgrades.

The dispute comes as wastewater infrastructure challenges persist statewide. A 2024 Idaho report found 458 violations at municipal sewer plants in 2023, though it noted Driggs had made progress addressing long-term issues.

Contact Jeannette Boner at 307-732-5901 or courts@jhnewsandguide.com.

Jeannette Boner | [Privacy Policy](#) | [Terms of Service](#) | [Contact Us](#)

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy Policy](#)

Jeannette has worked as an editor and journalist in the Greater Yellowstone Region for more than 20 years. She finds excitement and joy in watching her children explore wild places with her husband, Brad, and their red heeler, Rosie.

We promise to never sell your data.

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)

Exhibit B

https://www.jhnewsandguide.com/news/teton_valley/local/council-approves-15-000-communications-contract-amid-debate-over-public-trust/article_48028aa5-1c39-4988-ac79-3d2629d6e303.html

Council approves \$15,000 communications contract amid debate over public trust

By Jeannette Boner / Public Safety Reporter
Feb 19, 2026



The Victor City Council voted 3-1 on Feb. 11 to approve a \$15,000 contract with Victor-based communications consultant Mike Geraci.

The goal is to develop what city leaders describe as a “Community Narrative & Engagement Framework” tied to the city’s wastewater treatment plant decision.

The money would come from funds already budgeted within the wastewater project’s engineering contract rather than from a new or separate line item.

This website uses cookies to enhance user navigation, analyze site usage, and assist in our marketing efforts. (See our privacy policy for details.) We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)

The city contracted with Geraci, a Victor-based brand strategy and communications consultant who, according to his bio, has worked in senior roles in public relations and marketing and previously served on the Jackson Hole Travel and Tourism Board.

Victor City Councilor Sue Muncaster said at the meeting that she and Geraci worked together on the Travel and Tourism Board's Sustainable Destination Management Plan. Muncaster described Geraci as someone who understands government, politics and messaging.

She also noted that Geraci is a newer Victor resident and "the first person" she thought of for the role.

"This is not to make us look good," Muncaster said at the meeting about contract with a communications professional. "It's just to figure out a way to engage our community better, which is what everybody's asking for: transparency, engagement, public involvement."

Geraci's proposal characterizes the wastewater debate as a "high-emotion issue," saying that while the city has communicated through "facts, logic, and process," residents often process decisions "emotionally first, then rationally."

"I maintain that this, to me, feels biased and we are accusing the public of being emotional and not listening to facts," Victor City Councilor Amy Ross said of Geraci's proposal. "And maybe that's something that you're going to work through, but that feels problematic to me."

Ross asked that the city put out a request for proposals for the communication contract instead.

Geraci attempted to clarify his intended role.

"The government's doing their job saying, 'We're doing our due diligence,' and the community is doing their job saying, 'Hold on a second.' And so this is designed to kind of bring all that stuff together," he said.

According to the Feb. 11 staff report, the four- to six-week communication project is intended to deliver “narrative clarity and communication discipline” during what the city describes as one of its most consequential civic decisions.

The report notes that while extensive information has been published on the city’s wastewater project page, the material is often dense and has left what staff called a “gap in narrative clarity,” which has sometimes been filled by incomplete or inaccurate interpretations circulating in the community.

Victor Mayor Will Frohlich and Councilors Muncaster, Emily Sustick and Stacy Hulsing supported the proposal, saying it could improve how the city communicates complex information, address misinformation circulating on social media and create a strategy for engaging residents moving forward with the \$35 million project.

Ross voted against the contract.

Contact Jeannette Boner at 307-732-5901 or courts@jhnewsandguide.com.

Jeannette Boner

Jeannette has worked as an editor and journalist in the Greater Yellowstone Region for more than 20 years. She finds excitement and joy in watching her children explore wild places with her husband, Brad, and their red heeler, Rosie.

We promise to never sell your data.

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)

Exhibit C

https://www.jhnewsandguide.com/news/teton_valley/local/as-critics-lawyer-up-victor-idaho-seeks-approval-to-borrow-35-million-for-wastewater-plant/article_022b1136-2b35-4648-a487-633e716135b1.html

As critics lawyer up, Victor, Idaho, seeks approval to borrow \$35 million for wastewater plant

By Jeannette Boner / Public Safety Reporter
Nov 11, 2025



The City of Victor is taking its next formal step toward building a new wastewater treatment plant, a \$35 million project city leaders say is vital to the town’s future, even as tensions over its location and cost continue to divide the community.

On Wednesday, the Victor City Council plans to hold a public hearing at 6 p.m. at city hall to consider filing a petition for judicial confirmation – a legal process that, if approved by a judge, would allow the city to borrow millions without holding a bond election.

We promise to never sell your data

Accept All Cookies

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)

Then on Thursday, the council is set to hold another public hearing to vote on annexing 80 acres of land north of town into city limits, the site city officials have targeted for the new facility.

Last week, councilors also approved a \$4.5 million engineering contract with Sunrise Engineering ahead of the two hearings.

Hotly debated

The proposed 80-acre site north of town has become a flashpoint. Victor wants to annex 80 acres of farmland between 500 West and 1000 West, and 7000 South and Cedron Road. The city wants to rezone the western 40 acres to civic/institutional for the treatment plant, and the eastern 40 acres to residential for future homes. That property belongs to Paul Evans, a longtime Teton Valley landowner who developed Peak View Estates

Nearby residents have retained local attorney Anna Trentadue to challenge the city's transparency and process. Opponents say the city has yet to complete groundwater or odor studies and has advanced zoning decisions without a final annexation agreement.

Trentadue also argues that granting 40 of the 80 acres for future high-density residential development – without holding its own public hearing – violates Victor's planning and zoning codes, which require public vetting before any such approval.

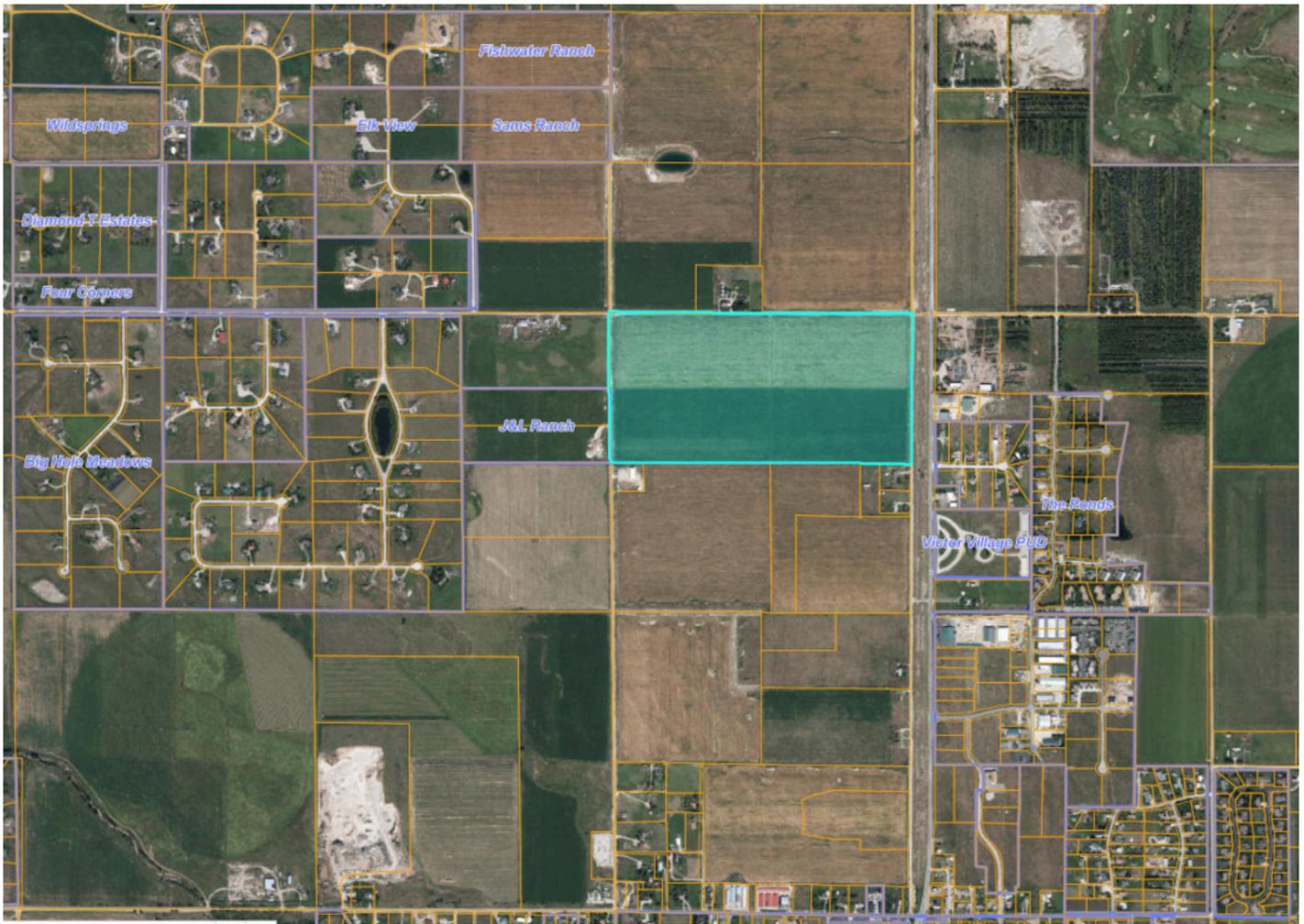
"Trust is gained in drops and lost in buckets," Trentadue said. "And the city's bucket has already been dumped out a couple of times."

Victor City Councilor Sue Muncaster said at last week's meeting that while she didn't intend to minimize the public's concerns, community outreach was an important part of the process.

"People are worried, and they have every right to be," she said. "There's fear because there's not enough information yet, and that's on us. We need to do a better job communicating what's happening and what's still being studied."

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners.

"I think people assume decisions are already made, and they're not. That's why the outreach piece is so important – the sooner we can have open houses, the better, she added"



Paul Evans is prepared to sell about 40 acres of an 80-acre parcel he owns north of Victor, Idaho, (highlighted in blue) to the city, which wants to develop a wastewater treatment plant on the as-yet-undeveloped agricultural land.

TETON COUNTY (IDAHO) GIS

Debt without a vote

City leaders say annexation provides the “necessary jurisdictional foundation” for the plant and other potential public uses. But critics argue the city is moving too fast, finalizing zoning before completing groundwater, odor, or alternative site studies.

Under Idaho’s Judicial Confirmation Law, cities can ask a district court to declare certain projects, such as water or wastewater systems, so essential that they qualify as “ordinary and necessary” expenses. If a judge agrees, the city may incur long-term debt without voter approval under the Idaho Constitution. To pursue that path, the city must hold a public hearing, then file a petition in district court outlining the project’s cost, purpose and repayment plan.

The court then determines whether the expense meets the constitutional test.

We promise to never sell your data.

How we use your data: We use the information you provide to improve our products and services, to analyze and track usage, to contact you about our services, and to share information about your use of our site with our social media, advertising and analytics partners.

If the council votes to proceed Nov. 12, the city's petition will move to district court, where a judge will decide whether the wastewater project qualifies for the "ordinary and necessary" exemption under Idaho law.

If granted, Victor could move forward immediately with borrowing, design and construction without a bond election.

If denied, the city would have to consider alternatives: holding a public vote, scaling back the project, or reopening discussions with Driggs about reconnecting to its wastewater plant, which currently serves both eastern Idaho cities.

City officials insist that judicial confirmation isn't an attempt to sidestep voters but a response to tight state and federal timelines.

Together, again?

Driggs' facility is already under a consent decree with the U.S. Department of Justice and the Environmental Protection Agency for permit violations. Victor's decision to stop using the plant, officials say, forced Driggs back to the table with federal agencies.

"Because of Victor pulling out, we had to renegotiate our consent decree," Driggs Mayor August Christensen said. "We had to convince them to let us delay our second design phase by a year – and they weren't happy about that."

Christensen said reactions to the split have been mixed. Some Driggs residents are relieved to "just worry about ourselves," while some Victor residents are anxious about the cost and complexity of running two plants.

Asked whether Victor could someday reconnect with Driggs, Christensen didn't dismiss the idea.

"If Victor came back and said, 'Can we reconnect?' that wouldn't be simple," she said. "But again, we can do hard things. Separating was a big deal. Reversing it would be, too."

~~We promise to never sell your data.~~

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)

Contact Jeannette Boner at 307-732-5901 or courts@jhnewsandguide.com.

Jeannette Boner

Jeannette has worked as an editor and journalist in the Greater Yellowstone Region for more than 20 years. She finds excitement and joy in watching her children explore wild places with her husband, Brad, and their red heeler, Rosie.

We promise to never sell your data.

This website uses cookies to enhance user experience and to analyze performance and traffic on our website. We also share information about your use of our site with our social media, advertising and analytics partners. [Privacy](#)