

**MINUTES OF AN ORIENTATION MEETING OF THE WEBER BASIN WATER  
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD MONDAY,  
FEBRUARY 27, 2023, 10:00 A.M., AT DISTRICT HEADQUARTERS**

Present:

Chairman Marlin K. Jensen  
Trustee Mark D. Anderson  
Trustee Jared Andersen  
Trustee Randy B. Elliott  
Trustee Scott K. Jenkins  
Trustee Angie Osguthorpe  
Trustee Christopher F. Robinson  
Trustee Paul C. Summers

Excused:

Trustee Kym O. Buttschardt

Scott W. Paxman, General Manager/CEO  
Mike Malmborg, Legal Counsel  
Jody Williams, Legal Counsel

Suzy Eppens, Contracts Administrator  
Darren Hess, Assistant General Manager  
Brad Nelson, Assistant General Manager  
Jon Parry, Assistant General Manager  
Greg Pierce, Information Services Manager  
Kendall Searle, Administration Manager

Dave Stewart, Legislative Consultant

**I**

**LEGISLATIVE CONSULTANT BRIEFING**

Chairman Jensen invited Gen. Mgr. Paxman to begin the meeting with the first agenda item being the Legislative Consultant Briefing. Gen. Mgr. Paxman introduced Dave Stewart who is working as the District's Legislative Consultant this year. Gen. Mgr. Paxman invited Mr. Stewart to present a summary of his work so far.

Mr. Stewart stated we are in the final week of general session which will end Friday at midnight. He then touched on SB 119 Per Capita Consumptive Use. He stated this bill has passed and will require more work from the District as this reporting used to be handled state-wide. He continued to explain this will change the way the District reports to the Division of Water Rights.

Trustee Summers asked how much the District already knows of this newly required data. Gen. Mgr. Paxman answered that we do not require the exact specifics from our cities and entities that the new reporting will require as of now, so we will need to collect more detailed information. Gen. Mgr. Paxman stated AGM Parry is working to figure out the information needed and how to disseminate that to our entities. Mr. Stewart stated the District will have some flexibility with the set of metrics by which we calculate and report these numbers. Mr. Stewart stated that we will be transparent while reporting in such a way that is realistic for the District.

Mr. Stewart then reported on SB 118 Water Efficient Landscaping Incentives. He stated this bill makes changes to the state programs similar to the Flip-Your-Strip Program. He said an area of concern was the super lien to be placed on properties, but that it was pulled out and there will be continued discussions on this at a later date to find a solution that is not as heavy-handed. Mr. Stewart reported this bill has a funding element to it, which currently sits at \$3Million (MM) ongoing and \$5MM one time, but that may still change. He stated the majority of that funding would get designated to the four large water districts and there will be a required match.

Mr. Stewart reported on SB 34 Water Infrastructure Funding Study. He said this is Senator McCay's bill and would limit taxing for water funding. Mr. Stewart stated this is moving to a study and the ability to collect through taxes remains protected. Legal Counsel Williams commended Gen. Mgr. Paxman on his work protecting this avenue of funding for the District.

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Next, Mr. Stewart explained HB 345 Local District Property Tax Amendments by Karen Peterson. He said this bill involves communication and transparency regarding geo bonds. Mr. Stewart said LeGrand Bittner of UASD worked with Mrs. Peterson and ensured some critical language was included.

Mr. Stewart continued by presenting on HB 491 Amendments Related to the Great Salt Lake. He said this bill provides for the appointment of a commissioner which will be housed at DNR as well as a board to handle anything relating to the Great Salt Lake. Mr. Stewart stated that the coordination will be good but there are concerns about potential issues that may arise because the District operates differently than a state department.

Mr. Stewart continued by explaining HB 538 Water Usage Amendments. He said this bill is problematic as it addresses shortened irrigation seasons and may have fines for violations, so we are taking a closer look and working to address the associated concerns.

Trustee Jenkins stated he has issues with HB 538. He said the District uses Federal water rights and the state should not be able to dictate use. Trustee Jenkins stated his concern about the potential of being forced to release water the District does not want to release and that should not be allowed.

Trustee Summers highlighted that state funding may also be withheld if we do not comply which seems so counterproductive.

Trustee Robinson asked if the bigger issue behind the bill is the bottom-line number of savings rather than the May to October irrigation season. All agreed that is the bigger issue.

In reply to Trustee Jenkins, Gen. Mgr. Paxman stated that another concern is smaller entities not having the ability to send their conserved water to the GSL, so they would look to the District to release to the GSL, which could be our reserves for next year's drinking water. Gen. Mgr. Paxman stated the representatives were gracious in listening and willing to work with us a bit, but there are still issues.

Mr. Stewart touched on some funding items and spoke of work done on a grant for \$2.5MM for Holmes Creek, \$1.0MM grant for the District's North Salt Lake pipeline replacement and the \$50MM prioritized for aqueduct resilience. He said now we need to ensure a portion of the money is designated for District projects. Mr. Stewart says there are four major aqueducts needing work and vying for the money. He stated the District is further along as we have planned and applied for grants and been awarded funds for our project.

Mr. Stewart presented SB 277 Water Conservation and Augmentation Amendments. He said this appropriates money for conservation into five categories. He stated there is work being done to designate cloud seeding money to build additional stations as well as a possible arial program in Washington County. Mr. Stewart said there is new technology to cloud seed remotely which removes human error and achieves seeding at a higher elevation. Trustee Summers commented that he managed this program in the 1970s and is interested in seeing where it all goes.

Trustee J. Andersen asked for review of HB 307 Utah Water Ways and SB 144. Mr. Stewart said HB 307 has the four General Managers of each large water district sit on a board that is created. He said it appears to be a statewide campaign on water conservation and water efficiencies. He also said this is a duplicate effort of what is already being done, but this encourages communication and is intended to keep people motivated to conserve and be informed. Mr. Stewart said SB 144 is regarding the Colorado River and does not apply to this District. Legal Counsel Williams stated it provides a little state autonomy and possible curtailment coming on the Colorado River. She said this was the state engineer's bill and it is a good bill which has passed.

Discussion continued.

Gen. Mgr. Paxman stated that Mr. Stewart has been great to work with and we have seen funding

opportunities that we may not have because of his work. Gen. Mgr. Paxman thanked Mr. Stewart.

**II  
CLOSED SESSION TO DISCUSS PURCHASE OF WATER RIGHTS**

Motion was made by Trustee Elliott, seconded by Trustee M. Anderson, and passed unanimously, to move to closed session to discuss acquisition of water rights.

Trustee Summers motioned, seconded by Trustee Elliott, to come out of closed session. No decisions were made as a result of closed session.

Gen. Mgr. Paxman tabled the rest of the agenda items for a future meeting.

**III  
ADJOURNMENT**

There being no further business for discussion, meeting adjourned at 12:00 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Scott Paxman", written in a cursive style.

Scott W. Paxman, General Manager / CEO