

**MINUTES OF A REGULAR MEETING OF THE WEBER BASIN WATER  
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD THURSDAY,  
APRIL 29, 2021, 9:00 A.M., AT DISTRICT HEADQUARTERS**

Present:

President Dee Alan Waldron  
Trustee Kym O. Buttschardt  
Trustee Randy B. Elliott  
Trustee Scott K. Jenkins  
Trustee Marlin K. Jensen  
Trustee P. Bret Millburn  
Trustee Angie Osguthorpe  
Trustee Dave Ure

Excused:

Trustee Paul C. Summers

Tage I. Flint, Secretary/General Manager  
Mike Malmborg, Legal Counsel  
Jody Williams, Legal Counsel

Brittney Bateman, Finance & Economics Director  
Calysta Bravo, Accounting & Budget Officer  
Darren Hess, Assistant General Manager  
Derek Johnson, Mgr. of Engineering  
Sherrie Mobley, Mgr. of Administration  
Brad Nelson, Mgr. of M&I  
Riley Olsen, Mgr. of Irrigation & Power  
Jon Parry, Assistant General Manager  
Scott Paxman, Assistant General Manager  
Sam Sorensen, Mgr. of Maintenance  
Kathy Wood, Human Resources Manager

Ben Woolf, Bureau of Reclamation

**I  
PLEDGE OF ALLEGIANCE**

President Waldron welcomed all in attendance. He then led the group as they recited the Pledge of Allegiance.

**II  
APPROVAL OF MINUTES**

President Waldron presented minutes of the regular board meeting and hearing on petitions for water contracts held March 25, 2021 and orientation meeting held March 22, 2021 for review and approval. There were no additions or corrections. Motion was made by Trustee Ure, seconded by Trustee Jensen and passed unanimously, approving the minutes as presented.

**III  
CONSIDERATION OF APPROVAL OF MARCH 2021 FINANCIAL REPORT**

Trustee Buttschardt asked Budget Off. Bravo to review the March 2021 financial report. Budget Off. Bravo stated this is the ninth month of the fiscal year. She reviewed the O&M report discussing revenues in detail. She reviewed costs categorized by the following: operations, sustainment, strategic initiatives, administrative support, and human resources.

Fin. Director Bateman then presented the source and use statement. She explained the statement in detail and displayed various slides showing charts and graphs providing additional information on revenues, expenses, reserves, etc.

After all questions were answered, motion was made by Trustee Buttschardt, seconded by Trustee Osguthorpe and passed unanimously, approving the March 2021 financial report.

**IV  
CONSIDERATION OF APPROVAL OF UPDATES TO DISTRICT POLICIES AND PROCEDURES**

Gen. Mgr. Flint reported a draft version of the updated District policies were emailed to the Trustees for their review. He asked Fin. Dir. Bateman to present details of the updates.

Fin. Dir. Bateman reported the policies are being updated to bring the District into compliance with new legislation passed this year. She said the updates include changes to the open meetings act, procurement code, emergency management and procurement, and publications. Fin. Dir. Bateman stated staff is also suggesting a couple of clarifications to existing policies to better convey the intent of the Board.

Fin. Dir. Bateman presented slides showing the updated language to sections of the policies previously stated in addition to closed meetings, posting minutes online, and retirement eligibility.

After all questions from the trustees were answered, motion was made by Trustee Millburn, seconded by Trustee Jenkins and passed unanimously, approving the amendments to the Policies and Procedures Manual as presented.

**V  
CONSIDERATION OF APPROVAL OF ASSIGNMENTS OF WATER**

Mgr. Mobley presented the following assignments of water.

**A. SUMMIT COUNTY:**

- 1) Ahimsa LLC to Pine Meadows Mutual Water Company..... 1.0 a.f.  
West of Wanship (SS-143-5)
- 2) Focused Efforts LLC to Pine Meadows Mutual Water Company..... 1.0 a.f.  
West of Wanship (SS-144-D)
- 3) FTAS Legacy V, LLC to HC Land & Livestock LLC..... 7.0 a.f.  
Oakley (CD-187, CD-187-A, CD-213)
- 4) Travelers Construction Co. to Steel & Stones LLC ..... 6.0 a.f.  
Oakley (NS-7, NS-7-A, NS-7-A-1-A, NS-21-A-5, NS-264-A)

She reported all assignments are located in Summit County. The first two assignments are related to properties that are now being served by Pine Meadows Mutual Water Company. She said Ahimsa LLC and Focused Efforts LLC are transferring their 1.0 a.f. water allotments to Pine Meadows Mutual Water Company since the water company can now service their property. Mgr. Mobley reported our policies allow for the water to be transferred to the water company in these situations. Since the water company does not own the land, it is required to pledge collateral to secure the annual payment for the water. In this case, the water company is pledging cash as collateral.

Mgr. Mobley reported the last two assignments relate to properties that have been sold, and the assignments will update water into the new owners' names. FTAS Legacy V, LLC recently sold land to HC Land & Livestock LLC, and this assignment will update ownership of 7.0 a.f. of water secured to the property. Travelers Construction Co. recently sold property to Steel & Stones LLC. This assignment will update ownership of 6.0 a.f. of water secured to the property.

Mgr. Mobley stated all assessments are current and recommended approval of the assignment.

Motion was made by Trustee Elliott, seconded by Trustee Jenkins and passed unanimously, approving the assignments of water and adopting the following resolution.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the President and the Secretary of said District be and they are hereby authorized and empowered to execute on behalf of said District assignments of water, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

VI

CONSIDERATION OF APPROVAL OF CANCELLATIONS OF WATER

Mgr. Mobley presented the following cancellations of water:

A. DAVIS COUNTY:

- 1) Fiore Investments LC ..... 3.88 a.f. Proj  
Farmington (08-072-0016)  
(property is developing and has excess water)

B. SUMMIT COUNTY:

- 1) R. Preston Miller Revocable Trust ..... 2.0 a.f. Dist 1  
Wanship (RPVS-1)  
(no excess irrigation of property - retaining 1.0 a.f. of 3.0 a.f. contract)
- 2) R. Preston Miller Revocable Trust ..... 1.0 a.f. Dist 1  
Wanship (RPVS-2)  
(no excess irrigation of property - retaining 1.0 a.f. of 2.0 a.f. contract)

Mgr. Mobley said the cancellation in Davis County from Fiore Investments LC is being requested because the property is being developed and has excess water. The owners are requesting cancellation of the 3.88 a.f. of Project water that is not needed for the development.

Mgr. Mobley reported the two cancellations in Summit County are from the R. Preston Miller Revocable Trust who owns two separate lots. She said each lot has multiple acre-feet of water secured to it. The property owners have no plans to use water to irrigate the property, and plan to leave the properties in their natural landscape. She stated the owners plan to maintain 1.0 a.f. on each lot and would like to cancel the remaining 3.0 a.f. of water. Mgr. Mobley reported all assessments are current and recommended approval of the cancellations.

Motion was made by Trustee Elliott, seconded by Trustee Jenkins and passed, approving the cancellations outlined above and adopting the following resolution.

RESOLUTION

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the President and the Secretary of said District be and they are hereby authorized and empowered to execute on behalf of said District cancellation petitions for the following, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

- 1) Fiore Investments LC ..... 3.88 a.f. Proj
- 2) R. Preston Miller Revocable Trust ..... 2.0 a.f. Dist 1
- 3) R. Preston Miller Revocable Trust ..... 1.0 a.f. Dist 1

**VII  
WATER SUPPLY REPORT**

Mgr. Olsen presented the following reservoir content data:

<u>RESERVOIR</u>	<u>TOTAL CAPACITY</u>	<u>DISTRICT CAPACITY</u>	<u>ACCRUED TO DIST TO DATE</u>	<u>% OF DIST CAPACITY</u>	<u>RESERVOIR CONT.</u>	
					<u>AS OF 4/26/21</u>	<u>AS OF 4/27/20</u>
CAUSEY	7,870	6,870	5,360	78%	5,360	4,125
E CANYON	51,200	20,110	10,099	50	35,070	43,270
ECHO	73,940	6,357	0	0	33,200	64,510
LOST CRK	22,510	20,010	13,300	66	13,300	17,230
PINEVIEW	110,150	66,228	46,457	70	64,390	89,040
SMITH-M	8,351	6,560	1,454	22	2,494	4,900
WANSHIP	62,120	60,000	34,457	57	39,380	50,060
WILLARD	<u>247,302</u>	<u>222,273</u>	<u>144,081</u>	<u>65</u>	<u>144,081</u>	<u>197,500</u>
TOTAL	583,443	408,408	255,208	62%	337,275	470,635

Percent of District upstream storage is 60% compared to 73% last year at this time. Mgr. Olsen presented various charts and graphs illustrating the water supply and reviewed storage levels. He said we are seeing some runoff into Causey and expect it to fill. He said the other reservoirs are not expected to fill this year.

Gen. Mgr. Flint reported the likelihood of Echo filling is not great but runoff is starting so we are hopeful. He said currently Echo is 31% full on paper. AGM Hess reported if Echo does not fill, we will have to return the 7,000 a.f. holdover we purchased at the end of last year. President Waldron asked how much water in Wanship is Echo water. Mgr. Olsen answered 5,000 a.f.

Mgr. Olsen reviewed snotel sites and soil moisture. He said we have lost one-third of the runoff to the soil, bringing soil moisture into below average saturation. On April 1<sup>st</sup>, we anticipated 103,000 a.f. would make it to the reservoirs. On April 26<sup>th</sup>, only 84,090 a.f. was expected, resulting in 82% of the runoff remaining. Mgr. Olsen stated the weather forecast shows a higher probability of being dryer than normal.

Trustee Osguthorpe asked if there is any more the District can do to promote conservation. Gen. Mgr. Flint reported we are currently in full conservation mode. We have conservation messages on billboards, social media, and are restricting irrigation deliveries by 20%.

Trustee Millburn inquired about a more robust campaign. He suggested the District start earlier and include water storage numbers and include photos. Gen. Mgr. Flint said the Slow the Flow campaign is currently being fine-tuned. Trustee Ure said the low reservoirs present an opportune time to do dam repairs, etc.

**VIII  
CONSIDERATION OF APPROVAL OF CLEARFIELD WELL #1 REHABILITATION  
OF ELECTRICAL CONTRACTOR BID**

AGM Paxman reported in 2019 the District contracted with Heath Engineering to provide an analysis on recommended upgrades and changes to the electrical, HVAC, and instrumentation systems on the Clearfield Well #1, located at approximately 800 North Main Street in Clearfield. He said in 2021, construction plans were prepared for contractors to implement the recommended changes.

AGM Paxman stated the electrical upgrades include: 1) the removal and replacement of all electrical equipment and panels in the well house, and 2) inclusion of two new variable frequency drives on the existing motors. The HVAC upgrades include a new split A/C system. He reported the instrumentation upgrades include a cellular modem to allow SCADA and security systems to operate.

AGM Paxman said a request for bid was advertised on March 30 and April 12. He stated bids were received on April 23, 2021. Only one bid was received, however, it was in line (2% lower) than the engineer's estimate for the electrical work. He replied Turner Electric was the apparent low bid at \$394,882.

Motion as made by Trustee Ure, seconded by Trustee Jenkins and passed unanimously, awarding a \$394,882 contract to Turner Electric for the Clearfield Well #1 Rehabilitation Project and adopting the following resolution:

**RESOLUTION**

BE IT AND IT IS HEREBY RESOLVED by the Board of Trustees of the Weber Basin Water Conservancy District that the President and the Secretary of said District be and they are hereby authorized and empowered to execute on behalf of said District a \$394,882 contract with Turner Electric for the Clearfield Well #1 Rehabilitation Project, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

**IX**

**CONSIDERATION OF APPROVAL OF LAYTONA WELL PUMP REPAIR PROJECT CONTRACTOR BID**

AGM Paxman reported the bids received for the Laytona Well Pump Repair Project came in within the General Manager's purchasing authority so no further action is needed.

**X**

**GENERAL MANAGER'S REPORT**

Gen. Mgr. Flint reported all Trustees who are attending the Utah Water Users Workshop have a copy of the agenda and room confirmations if they will be staying in one of the conference hotels. He also asked each Trustee to sign their travel authorization form so that it may be forwarded to President Waldron for approval.

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Gen. Mgr. Flint reported Lake Powell is currently 137 feet below full elevation and only 35% full. He discussed other facts relative to Lake Powell since the board had inquired about it earlier. He stated Lake Mead is worse off than Lake Powell regarding relative elevation. Gen. Mgr. Flint stated the drought emergency criteria appears imminent on the Colorado River because of the adverse conditions. Further discussion on the 2025 Colorado Compact followed.

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Gen. Mgr. Flint reported District staff had a meeting with the Snyderville Basin parties. He said the parties would like to explore various alternatives and want to know cost options, etc. Trustee Ure replied the parties need to come together as a team. Gen. Mgr. Flint discussed the master agreement and its specific details. Discussion followed.

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Gen. Mgr. Flint reported he recently attended and participated in a presentation to the Utah League of Cities and Towns. He said it was good to meeting with customer agencies and make the cities realize the importance of landscaping ordinances on outdoor watering and budgets. He said severe reductions in landscapes for industrial parks were discussed. Gen. Mgr. Flint replied the District is working with the other water districts and the state regarding a water study on per capita use. He said this data is very important for future water development.

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Gen. Mgr. Flint reported there has been a lot of discussion with legislators concerning the stimulus money the State of Utah will receive. There have been many requests received for the money. Discussion continued.

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Gen. Mgr. Flint reported we recently held our customer agency meetings. Two meetings were held. One with the municipal water customers and the other with the irrigation companies. He said the wholesale irrigation companies were informed of our 20% reduction, and the cities were asked to decrease M&I water by 20% for outdoor applications. Gen. Mgr. Flint said in addition to the reductions, we plan to end our irrigation season on October 1<sup>st</sup> this year. Water rates were also reviewed with the customer agencies which they seemed receptive..

## **XI OTHER BUSINESS**

Trustee Ure asked about the reserved water contracts with Oakley City, Coalville City, and Hoytsville Irrigation Company. He asked if the deadline for the special priced water would be extended past August 1, 2021. Gen. Mgr. Flint reported these reservation contracts have several years remaining, but special District 2 pricing was offered to the three entities if they contracted for their allotments by August 1<sup>st</sup>, thus terminating the reservation agreements. He said Hoytsville Irrigation officials have requested an extension past August 1<sup>st</sup> since Summit County was locked down and prohibited large groups from gathering in person which made it difficult to discuss items of business. Gen. Mgr. Flint stated they have requested an additional year, but we are recommending the deadline be extended from August 1, 2021 to February 1, 2022. He also recommended the extension be extended to all three entities.

It was determined the extension would be offered from the General Manager and Board approval was not necessary.

## **XII ADJOURNMENT**

There being no further business for discussion, meeting adjourned at 10:45 a.m.

Respectfully submitted,

Tage I. Flint, Secretary

**The Board of Trustees of the Weber Basin Water Conservancy District, Utah, met in public session April 29, 2021, at 9:00 a.m., at District headquarters, Layton, Utah. Meeting was called to order by Chairman Dee Alan Waldron. On roll call the following members were found to be present:**

Present:

President Dee Alan Waldron  
Trustee Kym O. Buttschardt  
Trustee Randy B. Elliott  
Trustee Scott K. Jenkins  
Trustee Marlin K. Jensen  
Trustee P. Bret Millburn  
Trustee Angie Osguthorpe  
Trustee Dave Ure

Excused:

Trustee Paul C. Summers

Tage I. Flint, Secretary/General Manager  
Mike Malmborg, Legal Counsel  
Jody Williams, Legal Counsel

Brittney Bateman, Finance & Economics Director  
Calysta Bravo, Accounting & Budget Officer  
Darren Hess, Assistant General Manager  
Derek Johnson, Mgr. of Engineering  
Sherrie Mobley, Mgr. of Administration  
Brad Nelson, Mgr. of M&I  
Riley Olsen, Mgr. of Irrigation & Power  
Jon Parry, Assistant General Manager  
Scott Paxman, Assistant General Manager  
Sam Sorensen, Mgr. of Maintenance  
Kathy Wood, Human Resources Manager

Ben Woolf, Bureau of Reclamation

Mgr. Mobley stated the meeting was being held pursuant to notice to the public, duly published as required by law, for the purpose of permitting all interested persons to show cause why the respective petitions for water contracts of the individuals as set forth in the notice, copies of which are attached hereto and incorporated by reference as a part of these minutes, for the allotment of water to lands in Davis, Morgan, Summit, and Weber Counties, Utah, by the Weber Basin Water Conservancy District, should not be granted.

Mgr. Mobley reported there have been no written objections filed against the foregoing petitions and asked for any other objections to be presented at this time. No objections were received.

Thereupon the following resolution was presented and read:

**RESOLUTION GRANTING PETITIONS FOR THE ALLOTMENT  
OF WATER BY WEBER BASIN WATER CONSERVANCY DISTRICT**

WHEREAS, acting pursuant to Section 73-9-19, Utah Code Annotated, 1953, as amended, there has been filed in the office of the Weber Basin Water Conservancy District, the following petitions for water contracts requesting the allotment of Weber Basin water annually, pursuant to the terms and conditions set forth in said petition:

**A. DAVIS COUNTY:**

- 1) Stephen K. & Iylene S. Latimer.....0.08 a.f. NEW
- 2) Station Park Townhomes LLC.....3.18 a.f. NEW

**B. MORGAN COUNTY:**

- 1) Roland Haslam.....1.0 a.f. NEW

**C. SUMMIT COUNTY:**

- 1) Boerboom Construction Inc.....3.0 a.f. NEW
- 2) Lianne Cholewicki & Dennis Roberts ..... 1.0 a.f. NEW
- 3) Gilbert & Deborah Schrock ..... 1.0 a.f. NEW
- 4) Lucas Indelicato & Michelle Tamagawa ..... 1.0 a.f. NEW
- 5) West Frontier LLC ..... 1.0 a.f. NEW

**D. WEBER COUNTY:**

- 1) Brigham & Ashley Burton ..... 1.0 a.f. NEW
- 2) Carpenter Family Trust ..... 1.0 a.f. NEW
- 3) Jaime Cervantes ..... 0.6 a.f. NEW
- 4) Kenneth V. & Sheri A. Eddington ..... 0.7 a.f. NEW
- 5) Marry Parry & Cody Gaskill..... 1.5 a.f. NEW
- 6) Rochelle Groveau..... 1.0 a.f. NEW
- 7) Ivory Land Corporation ..... 16.19 a.f. NEW
- 8) Louis & Jenene Martinez ..... 0.7 a.f. NEW
- 9) MMDUTLLC..... 1.0 a.f. NEW
- 10) OVB Investments LLC ..... 1.0 a.f. NEW
- 11) OVB Investments LLC ..... 20.0 a.f. NEW
- 12) Stephen & Mindy Pitcher and Liberty Pipeline Co. .... 1.0 a.f. NEW
- 13) Jamie Pringle..... 0.6 a.f. NEW
- 14) Julie Stoddard..... 0.8 a.f. NEW
- 15) Craig & Marianne Trottier ..... 2.0 a.f. NEW
- 16) Wasatch Meadows Community LLC..... 9.1 a.f. NEW
- 17) Westwood Eden LLC..... 1.0 a.f. NEW

Whereas after the filing of said petitions it was determined to hold a public hearing on same in the office of the Board of Trustees of the District, and the Secretary of the District caused due and proper notice of the holding of such hearing to be published April 16 & 23, 2021 in the Summit County News and April 16 & 23, 2021 in the Standard Examiner which newspapers are published in the counties in which the lands covered by said petitions are situated, which notice advised all interested persons of the holding of such hearing and of their right to present objections in writing showing cause why such petitions should not be granted, and

WHEREAS, at the hour and place named in said notice, or at a subsequent meeting adjourned there from, the Board of Trustees of the District has met in public session and has heard all persons desiring to be heard and written or other objections having been presented, and

WHEREAS, after due consideration, it is the determination of the Board of Trustees that it is for the best interest of the District that such petitions should be granted.

NOW, THEREFORE, be it Resolved and Ordered by the Board of Trustees of the Weber Basin Water Conservancy District, as follows:

Section 1. That it is hereby determined to be in the best interest of the Weber Basin Water Conservancy District, that such petitions be granted.

Section 2. That said petitions are hereby granted and amounts of water in acre-feet are hereby allotted to the respective petitioners for the lands for which the same is petitioned, all as above set out.

Section 3. That the President of the District is hereby authorized and directed in the name of the District and on its behalf to execute formal orders granting said petitions allotting water to lands therein described, upon the terms, at the rates, and payable in the manner as in said petitions set forth and the Secretary of the District is authorized and directed to attest said order.



**Page 3 – Petitions for Water Contracts Hearing – April 29, 2021**

Section 4. The Secretary of the Board of Trustees in its behalf, is directed to cause a fully executed copy of said order, to which shall be attached a copy of the petitions upon which the order is made, to be recorded in the office of the respective County Recorder.

After consideration of the resolution and order, motion was made by Trustee Elliott, seconded by Trustee Jenkins and passed unanimously, approving petitions for water contracts in Davis, Morgan County, Summit County, and Weber County and adopting the foregoing resolution.

Approved and adopted April 29, 2021.

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Dee Alan Waldron, Chairman

ATTEST:

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Tage I. Flint, Secretary

(SEAL)