

**MINUTES OF A REGULAR MEETING OF THE WEBER BASIN WATER
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD THURSDAY,
AUGUST 25, 2022, 8:30 A.M., AT DISTRICT HEADQUARTERS**

Present:

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

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

Brittney Bateman, Finance & Economics Manager
Calysta Bravo, Accounting & Budget Officer
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Derek Johnson, Mgr. of Engineering
Sherrie Mobley, Mgr. of Administration
Jesse Moreno, Staff Engineer
Brad Nelson, Assistant General Manager
Riley Olsen, Mgr. of Water Supply & Power
Jon Parry, Assistant General Manager
Sam Sorensen, Mgr. of Maintenance
Kathy Wood, Human Resources Manager

Grant Doty, Division of Water Resources
Kerry Gibson, Lincoln-Hill Partners
Rick Smith, Davis & Weber Counties Canal Company

I

CLOSED SESSION TO DISCUSS PURCHASE OF WATER RIGHTS

Chairman Jensen recommended the Board go into closed session for purposes of discussing purchase of water rights.

Motion was made by Trustee Jenkins, seconded by Trustee Anderson and passed unanimously, directing the board go into closed session for purposes of discussing purchase of water rights.

Motion was made by Trustee Robinson, seconded by Trustee Summers and passed unanimously, directing the Board adjourn closed session.

II

WELCOME & PLEDGE OF ALLEGIANCE

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

III

INTRODUCTION OF NEW EMPLOYEE – JESSE MORENO

Gen. Mgr. Paxman introduced Jesse Moreno, the District's newest staff engineer. He said Jesse is a graduate of University of Utah with a Bachelor's Degree in Civil & Environmental Engineering. He asked Jesse to tell the Board a little about himself.

Jesse stated he recently passed the PE exam and has about eight years of engineering experience ranging from CAD technician, Civil Engineering Technician, Civil Designer, Civil Engineer, etc. He said most recently he was working for Bowen Collins & Associates. All welcomed Jesse to the District.

IV APPROVAL OF MINUTES

Chairman Jensen presented minutes of the regular board meeting and hearing on petitions for water contracts held July 28, 2022 and orientation meeting held July 26, 2022 for review and approval. There were no additions or corrections.

Motion was made by Trustee Summers, seconded by Trustee Elliott and passed unanimously, approving the minutes as presented.

V CONSIDERATION OF APPROVAL OF JULY 2022 FINANCIAL REPORT

Trustee Buttschardt asked Budget Off. Bravo to review the July 2022 financial report. Budget Off. Bravo stated this is the first month of the fiscal year. She said year-to-date water sales are below the year-to-date budgeted water sales. She said some of the expenses will be accrued back to FY2022. Budget Off. Bravo reviewed expenses, making particular mention to those over the budgeted amounts.

Fin. Mgr. Bateman presented the source and use statement. She explained the statement in detail and displayed various slides showing charts and graphs providing additional information on revenue, expenses, reserves, etc. Questions from the Board were then answered.

Gen. Mgr. Paxman said we are in the process of scheduling a fiduciary committee meeting. Details will be sent to the committee members. He said topics will include reviewing our finance and budgeting presentation. A review by the Board is required quarterly, however, we have chosen to present details to the Board each month. Another fiduciary committee agenda item is review of District 4 water rates.

Motion was made by Trustee Elliott, seconded by Trustee Robinson and passed unanimously, approving the July 2022 financial report as presented.

VI CONSIDERATION OF APPROVAL OF POLICY UPDATES

Gen. Mgr. Paxman reported the District is updating its policies to incorporate the Board's recommendations on water efficiency standards, regarding replacement water contracts, as well as updating the schedule of fees to incorporate the 2023 water rates. He asked Fin. Mgr. Bateman to continue with the details.

Fin. Dir. Bateman reviewed the recommended policy updates. She referred to Section 17.1 – Contracting for Replacement Water. The updated policy language appears in bold lettering below and requires adherence to District water efficiency standards.

17.1 Contracting for Replacement Water

- 17.1.1 The Board shall consider water allotment requests from any individual or entity (the "Petitioner") which petitions the District for the right to use replacement water for property owned by the Petitioner so long as water is available **and, in the case of an individual, the Petitioner has no community water system available**. Replacement water rates shall be set according to the schedule for the class of available untreated M&I water at the time of the approval. Before consideration of approval by the Board, the Petitioner must:

- (i) Complete property District contract documents in their entirety for purchase of the right to use the water;
- (ii) Provide proof of property ownership described in the contract;
- (iii) Submit payment in full with completed contract documents to the District;
- (iv) Provide a title report for the property described if required by the Board; and
- (v) **Adhere to the District's current water efficiency standards for replacement water.**

17.2 Water Efficiency Standards for Replacement Water

17.2.1 Whereas the Board of Trustees desires to conserve the public's water resources and create user accountability, water efficiency standards shall be created and regularly updated by the District for indoor and outdoor water use and overuse of contract allocation.

17.2.2 The Petitioner shall install a meter to the current District standard that includes the ability to collect and disseminate usage data. District staff shall have the right to access, inspect, and operate and maintain telemetry equipment.

17.2.3 Replacement water shall not be used for decorative outdoor water features (e.g. pools, ponds, rivers, etc.).

Fin. Dir. Bateman reported the Water Efficiency Standards were reviewed in detail at Monday's orientation meeting and at an earlier closed session held today. Additional clarification was requested regarding the Water Efficiency Standards. AGM Parry reviewed the following portions of the Standards:

- Individual Replacement Water Contract Standards
 - Contract Volume Limitation
 - Contracts shall be for a maximum total contract volume of 0.65 AF
 - 0.45 AF intended for indoor use
 - 0.20 AF intended for limited outdoor use
 - Landscape Design Recommendations
 - In order to help water users meet the above outlined contract volume limits, and particularly the limited outdoor water use, rules shall be adopted to recommend the following:
 - Turf Grass should be limited to the greater of 35% of total irrigable space or 250 square feet, but should not exceed 2,000 square feet
 - No turf grass should be placed with widths of less than 8 feet
 - No turf grass should be placed on slopes greater than 25%
 - 3-4 inches of mulch should be placed in areas not using turf grass
 - District water should not be used in any water features
- Wholesale Replacement Water Contract Standards
 - Purchaser shall require strict compliance by all users and landowners with the above outlined Individual Replacement Water Contract Standards

Under the updated Water Efficiency Standards, the primary purpose of contracted water is intended for indoor use, with limited outdoor use availability. Gen. Mgr. Paxman stated that the specific landscape limitations discussed are intended as recommendations to assist a property owner to stay within their contracted allotments. He said any additional water needed for other uses, including any additional outdoor uses, would need to be acquired by the landowner from other sources.

Trustee Robinson discussed specific details of the Water Efficiency Standards and how they would be incorporated into the policies, particularly the indoor allowance of 0.45 a.f., outdoor allowance of 0.20 a.f., and turf grass limitations. Fin. Dir. Bateman replied these details would be included in the rules portion of the Policies. Trustee Robinson said the updated Water

Efficiency Standards do not need to be in the Board adopted Policies, but he would like them stated specifically and expressly approved in today’s meeting. The above referenced Water Efficiency Standards were then read into the record.

The Board concluded that the Policy update should eliminate Paragraph 17.2.3., and the wording relating to “no water features”. This language should, instead of being included in the Policies, be included within the Water Efficiency Standards contained within the Rules. Trustee J. Andersen stated he is concerned with the section of the standards that refer to landscape design, particularly the limitation of turf grass to not exceed 2,000 s.f. Discussion continued.

Trustee Robinson expressed appreciation to their staff for their work on these policies.

Fin. Dir. Bateman then presented policy changes to the 2023 Water Rates which have been added to the fee schedule and updated secondary water service fees to account for different size meters. The recommended changes to the policies follow in bold lettering:

Water Rates – Service Fees (per contract/connection)	
Secondary Retail	\$ 64.50
Water Rates – Service Fees (per contract/connection)	
Secondary Retail – ¾” or 1” connection	\$ 71.85
Secondary Retail – 2” connection	\$ 336.50
Secondary Retail – 4” connection	\$ 494.50
Secondary Retail – 6” connection	\$ 741.50
Secondary Retail – 8” connection	\$1,112.50

When discussion ceased, motion was made by Trustee Summers, seconded by Trustee M. Anderson and passed, with Trustee J. Andersen being opposed, approving (1) the updated Policies & Procedures and updated Fee Schedule as presented, with the deletion of Paragraph 17.2.3 relating to water features, (2) approving the proposed Water Efficiency Standards, as outlined above, including the contract water volume limitation and the landscape recommendations under those Water Efficiency Standards, and (3) causing the changes to Policy and the adoption of the Water Efficiency Standards to have an effective date of today, with such Policy and Standards to apply to any application for water that comes before the Board at any future date. Gen. Mgr. Paxman clarified that these changes will apply to new contracts going forward.

Trustee J. Andersen clarified that he agrees with 99% of the motion, but he is struggling with the 2,000 s.f. recommendation verses allowing the contract holder to manager their water. Trustee J. Andersen said he felt it important that this be noted regarding his nay vote.

VII CONSIDERATION OF APPROVAL OF BUREAU OF RECLAMATION XM FUNDING CONTRACTS

Gen. Mgr. Paxman reported the District was awarded a loan from the Bureau of Reclamation (BOR) for extraordinary maintenance funding. This program is intended to improve the efficiency of Reclamation projects. He said this contract would lock in the low interest rate for Fiscal Year 2022 which is lower than the current bond market.

Fin. Dir. Bateman reported this loan program is offered from the BOR and provides funds for XM (extraordinary maintenance) on federal facilities with potential of 35% forgiveness. She said the interest rate is tied to FY treasury rate. The FY22 OMB (Office of Management and Budget) rate is currently 1.875%, and the current MMD (Municipal Market Data Index) yield is between 2.16% to 3.11%. She stated an advantage to this program is that interest starts accruing only on a portion of the funds withdrawn verses the total if we were to bond. Payments would begin after the year the project was completed.

Fin. Dir. Bateman said the District has been awarded BOR loans in the past but none have included the forgiveness portion that the XM funding contains. She said there are very specific requirements regarding the forgiveness portion. Fin. Dir. Bateman reported the loans would tie in with needed funding for FY2025. The local BOR office is working hard to get the District's loan approved for FY2022. She said in order to meet the deadline, we are asking the Board to approve the XM funding contracts this month. A required public hearing has been scheduled by the BOR for August 30, 2022 at 10:00 a.m.

Fin. Dir. Bateman reported the XM funding contract for the AV Watkins Siphon Upgrade Project would be for a 30 year term. The funds awarded would be \$8,128,000. She stated the actual amount borrowed may be less depending on grant opportunities and the project scope.

Fin. Dir. Bateman reported the XM funding contract for the Davis Aqueduct Parallel Pipeline Project would be for a 30 year term. The funds awarded would be \$23,500,000. She stated the District would currently accept \$9,750,000 and may request another award next fiscal year, depending on grant rules.

Fin. Dir. Bateman recommended approval of the XM funding repayment contracts with the BOR for the AV Watkins Siphon Replacement Project and the Davis Aqueduct Parallel Pipeline Project.

Trustee Robinson asked how the interest rate is compounded and about the term. Other questions from the trustees were answered.

When discussion ceased, motion was made by Trustee Osguthorpe, seconded by Trustee Robinson and passed unanimously, approving the XM funding repayment contracts with the BOR for the AV Watkins Siphon Replacement Project and the Davis Aqueduct Parallel Pipeline 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 Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District an XM funding contract with the Bureau of Reclamation for the AV Watkins Siphon Replacement Project and the Davis Aqueduct Parallel Pipeline Project, on the terms and conditions contained in the forms of agreements presented to and considered at this meeting.

VIII

CONSIDERATION OF APPROVAL OF UNTREATED WATER CONTRACT WITH WEBER-BOX ELDER CONSERVATION DISTRICT

Mgr. Mobley presented two contracts for untreated water. She said Weber-Box Elder Conservation District would like to contract for 103.78 a.f. for property it will be serving in Pleasant View and 28.88 a.f. for property it will serve in Farr West.

Mgr. Mobley reported we Weber-Box Elder Conservation District has provided a copy of their Water Conservation Plan to ensure they are requiring their users to implement conservation measures. She said their conservation plan included similar conservation measures as the District's. Mgr. Mobley said Weber-Box Elder Conservation District has also implemented a metering program and plan to continue the program until all users are metered. Discussion regarding how water is allocated to properties and other details were discussed. Mgr. Mobley recommended approval of the two contracts with Weber-Box Elder Conservation District.

After discussion ceased, motion was made by Trustee Elliott, seconded by Trustee Andersen and passed unanimously, approving the 103.78 a.f. and 28.88 a.f. contracts for untreated water with Weber-Box Elder Conservation District 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 Chairman and the General Manger of said District be and they are hereby authorized and empowered to execute on behalf of said District a 103.78 a.f. contract and a 28.88 a.f. contract for untreated water with Weber-Box Elder Conservation District, on the terms and conditions contained in the forms of agreements presented to and considered at this meeting.

IX

CONSIDERATION OF APPROVAL OF CANCELLATIONS OF WATER

Mgr. Mobley presented the following requests for cancellations of water:

A. DAVIS COUNTY:

- 1) Utah Department of Transportation 374.05 a.f. Proj/Dist 1
 Bountiful, Centerville, Farmington, Fruit Heights, Kaysville,
 Layton, South Weber, Woods Cross
 (do not need due to roadway projects – Legacy & Highway 89)

B. WEBER COUNTY:

- 2) Bruce & Shelly Karcheski1.16 a.f. W Haven
 West Haven
 (installed waterwise landscaping-no longer needs full allotment – keeping 1.54 af)

Mgr. Mobley reported UDOT is requesting cancellation of 374.05 a.f. of water they no longer have a use for. She said the water was secured to properties located in Bountiful, Centerville, Farmington, Fruit Heights, Kaysville, Layton, South Weber, and Woods Cross. She said construction of various roadway projects have eliminated the need for this water. The majority of the water being cancelled is Project water.

Mgr. Mobley reported Bruce & Shelly Karcheski is requesting cancellation of 1.16 of their 2.7 a.f. water allotment. She said they will retain 1.54 a.f. of water on their one acre parcel. Mgr. Mobley said the Karcheski’s have followed their metered usage closely and realized they have more water than they need. She said this is the benefit of our metering program. If a property owner has a meter and finds they do not need all of their water allotment, they can come in and request cancellation of a portion and reduce their annual water assessments. Mgr. Mobley said all assessments are current and recommended approval of both cancellations.

Motion was made by Trustee Summers, seconded by Trustee Elliott and passed unanimously, approving the two cancellation requests 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 Chairman and the General Manger of said District be and they are hereby authorized and empowered to execute on behalf of said District water cancellations for the following, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

- 1) Utah Department of Transportation374.05 a.f.
- 2) Bruce & Shelly Karcheski 1.16 a.f.

X

CONSIDERATION OF APPROVAL OF TRANSFERS OF WATER

Mgr. Mobley presented two transfer documents, one in Summit County and the other in Weber County. She said the first transfer is being requested due to a recent lot line adjustment. She

said the water will move between two adjoining parcels which meets our policy on transfers of water. The second transfer moves water between two parcels located in Huntsville. She said both properties are owned by the same entity which also meets our policy on transfers. She recommended approval of both transfer documents and adoption of the following resolutions.

RESOLUTION

WHEREAS, pursuant to a petition filed by Steven & Leslie Swisher, there has been allocated 1.0 acre-foot of Project water to the following described lands in Summit County, Utah, to-wit:

Parcel Number NS-217-C, Steven & Leslie Swisher 1.0 AF

BEG ON E'LY LINE OF HWY AT PT 843.29 FT W OF SE COR SW1/4 SEC20 T1NR5E SLBM TH N'LY ALG E'LY LINE HWY 120 FT; E 181.5FT S'LY PARALLEL TO E'LY LINE HWY 120 FT; TH W 181.5 FT TO BEG CONT .50 ACRES

And the orders so allocating the said water have been recorded in the office of the County Recorder of Summit County, as indicated on the foregoing property descriptions.

WHEREAS, the owners of the said lands have now made application to the District for the transfer of 1.0 acre-foot of water to be allotted from the lands above described to the following described lands in Summit County, Utah:

Parcel Number NS-238-A, Steven & Leslie Swisher 1.0 AF

BEG NW COR LOT 19 WANSHIP COTTAGE SITES BEING N 89*17' W 527.29 FT FR N1/4 COR SEC 29 T1NR5E SLBM TH N 89*17'W ALG AFENCE LINE 283 FT M/L TO TH FENCE ON E SIDE OF ROAD; TH S 2*34'E ALG SD FENCE113.1 FT; TH N 88*13'E 281.2 FT M/L TO TH SW COR LOT 19, TH N 1*45' W 100.89FTTO BEG CONT 0.65 AC

WHEREAS, after due consideration, it is the determination of the Board of Trustees that it is in the best interest of the District that such application for transfer be approved and granted and that 1.0 acre-foot of water above referred to be transferred as per above described lands.

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

1. That the application for transfer of 1.0 acre-foot of water from the lands first above described to lands last above described, be and the same is hereby approved and granted, and the 1.0 acre-foot of water is hereby so transferred.
2. That the Chairman of the District is hereby authorized and empowered in the name of the District and on its behalf to execute a formal order granting such application for transfer and so transferring the said water.
3. That the General Manager/CEO of the District is directed to cause a fully executed copy of such order to which shall be appended a copy of the application for transfer upon which the order is made to be recorded in the office of the County Recorder of the county in which the lands to which the water is transferred are located.

RESOLUTION

WHEREAS, pursuant to a petition filed by Evergreen Ranch LC, there has been allocated 1.0 acre-foot of Project water to the following described lands in Weber County, Utah, to-wit:

Parcel Number 20-002-0016, EVERGREEN RANCH LC 1.0 AF

PART OF THE SOUTHEAST QUARTER OF SECTION 2, AND A PART OF THENORTHEAST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 1EAST, SALT LAKE BASE & MERIDIAN, U S SURVEY: BEGINNING AT THESOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 2;RUNNING THENCE NORTH 663.50 FEET, THENCE EAST 1418 FEET TO THEU S A PARCEL 20-008-0002; THENCE SOUTH 07D23' WEST 646.05 FEETALONG THE U S A PARCEL; THENCE SOUTH

04D05'23" EAST 48.37 FEET ALONG THE U S A PARCEL; THENCE NORTH 89D58'31" WEST 1338.43 FEET; THENCE NORTH 24.85 FEET TO THE POINT OF BEGINNING.

And the orders so allocating the said water have been recorded in the office of the County Recorder of Weber County, as indicated on the foregoing property descriptions.

WHEREAS, the owners of the said lands have now made application to the District for the transfer of 1.0 acre-foot of water to be allotted from the lands above described to the following described lands in Weber County, Utah:

Parcel Number 20-008-0021 & 20-184-0001, EVERGREEN RANCH LC 1.0 AF

20-008-0021: TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 1 EAST, SALT LAKE BASE & MERIDIAN, BEGINNING AT A POINT LOCATED 1266.6 FEET SOUTH 00D25'02" WEST ALONG THE CENTERLINE OF 5900 EAST STREET AS DETERMINED BY THE RACASSI SUBDIVISION RECORDED BOOK 54 PAGE 55 OF THE WEBER COUNTY PLAT RECORDS, FROM THE MONUMENTED LOCATED OF THE NORTH QUARTER CORNER OF SAID SECTION 11, RUNNING THENCE SOUTH 89D51'17" EAST 1515.7 FEET ALONG A LINE AND LINE EXTENDED BEING THE SAME AS DEEDED BY WARRANTY DEED RECORDED AS E# 2430584 ON AUGUST 19, 2009 TO THE BOUNDARY OF USA PROPERTY AS MONUMENTED BY US FOREST SERVICE BRASS CAPS AND DEEDED THENCE THE FOLLOWING 5 COURSES ALONG SAID MONUMENTED USA PROPERTY BOUNDARY 1) SOUTH 45D14'22" WEST 280.2 FEET TO THE US FOREST SERVICE ALUMINUM CAP 2) SOUTH 88D25'18" WEST 379.5 FEET TO THE US FOREST SERVICE ALUMINUM CAP 3) NORTH 76D29'38" WEST 634.2 FEET TO US FOREST SERVICE ALUMINUM CAP 4) SOUTH 00D20'41" EAST 383.1 FEET TO US FOREST SERVICE ALUMINUM CAP 5) NORTH 89D54'11" WEST 326.4 FEET MORE OR LESS, TO SAID CENTERLINE OF 5900 EAST STREET, THENCE NORTH 00D25'02" EAST 446 FEET TO THE POINT OF BEGINNING. CONTAINING 7.4587 ACRES, RITTER RANCH SUBDIVISION.

20-184-0001: ALL OF LOT 1, RITTER RANCH SUBDIVISION, WEBER COUNTY, UTAH.

WHEREAS, after due consideration, it is the determination of the Board of Trustees that it is in the best interest of the District that such application for transfer be approved and granted and that 1.0 acre-foot of water above referred to be transferred as per above described lands.

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

1. That the application for transfer of 1.0 acre-foot of water from the lands first above described to lands last above described, be and the same is hereby approved and granted, and the 1.0 acre-foot of water is hereby so transferred.
2. That the Chairman of the District is hereby authorized and empowered in the name of the District and on its behalf to execute a formal order granting such application for transfer and so transferring the said water.
3. That the General Manager/CEO of the District is directed to cause a fully executed copy of such order to which shall be appended a copy of the application for transfer upon which the order is made to be recorded in the office of the County Recorder of the county in which the lands to which the water is transferred are located.

Motion was made by Trustee Summers, seconded by Trustee Elliott and passed unanimously, approving the transfers of water outlined above and adopting the foregoing resolutions.

**XI
WATER SUPPLY REPORT**

Mgr. Olsen presented the following reservoir content data:

<u>RESERVOIR</u>	<u>TOTAL CAPACITY</u>	<u>DISTRICT CAPACITY</u>	ACCRUED	<u>% OF DIST CAPACITY</u>	RESERVOIR CONT.	
			<u>TO DIST TO DATE</u>		<u>AS OF 08/22/22</u>	<u>AS OF 08/23/21</u>
CAUSEY	7,870	6,870	4,252	62%	4,252	3,188
E CANYON	51,200	20,110	10,850	54	28,500	22,580
ECHO	73,940	6,422	0	0	46,130	11,660
LOST CRK	22,510	20,010	8,510	43	8,510	7,890
PINEVIEW	110,150	66,228	22,241	34	48,950	23,530
SMITH-M	8,351	6,560	6,000	91	6,280	3,469
WANSHIP	62,120	60,000	43,888	73	44,920	15,960
WILLARD	<u>247,302</u>	<u>222,273</u>	<u>77,917</u>	<u>35</u>	<u>77,917</u>	<u>91,389</u>
TOTAL	583,443	408,473	173,658	43%	265,459	179,666

Percent of District upstream storage is 51%.

Mgr. Olsen presented slides showing the Ogden River, Weber River, and Willard Bay storage. He also discussed the District’s storage allocation, soil moisture levels, precipitation/snotel, forecasted runoff, weather outlooks, and drought monitor.

AGM Hess reported we are instructing our water users to water only one day a week after Labor Day. He said our original plans were to shut off the secondary water systems on September 15th. He stated we have been asked to reconsider the shutoff date and possibly leave the system on a little longer. AGM Hess said some of our sister agencies rely on water from us to keep their systems in operations. He said after considerable discussions, we would recommend the secondary water systems stay on until September 26th. He stated we would fill the regulating reservoirs on September 26th and let normal usage draw them down which should take a couple of days. We would likely see most reservoirs depleted by September 28th.

Trustee Anderson stated it is worthy to note that the public has been very responsive to our conservation requests and this would be a nice effort to show appreciation for their cooperation.

Trustee Elliott suggested some water be left in the reservoirs to assist with fires in the event some occur.

**XII
CONSIDERATION OF APPROVAL OF CONTRACTOR SELECTION FOR POWER
RELOCATION FOR WEBER SOUTH WATER TREATMENT PLANT TANK**

Gen. Mgr. Paxman said the cost for this item came in within the General Manager’s purchasing limit so no action is needed.

**XIII
CONSIDERATION OF APPROVAL OF CONSULTANT SELECTION FOR SUPPLY &
DEMAND STUDY UPDATE**

AGM Parry reported the District recently requested Statements of Qualifications for the completion of an update to its Supply and Demand Study. He said this study was most recently updated in 2016, amended in 2017, and requires an update to ensure planning efforts utilize current information and data related to the future water demands and supplies of our drainage. AGM Parry stated this update will result in substantial stakeholder engagement to analyze demand and supply information, future supply and demand projections, incorporation of the District’s Climate Vulnerability study, and alternative water supplies.

AGM Parry reported the District procured services in compliance with District policy, receiving two responses to the advertisement. He said Brown and Caldwell was selected as the most qualified consultant. He said staff recommends awarding a contract in the amount of \$332,240 for the completion of this update.

Trustee Robinson asked when the update would be completed. AGM Parry replied we expect the finished product in just over a year.

Motion was made by Trustee Osguthorpe, seconded by Trustee Anderson and passed unanimously, approving award of a \$332,240 contract to Brown & Caldwell for completion of the District's Supply & Demand Study Update 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 Chairman and the General Manager of said District be and they are hereby authorized and empowered to execute on behalf of said District a \$332,240 contract with Brown & Caldwell for completion of the District's Supply and Demand Study Update, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

**IX
GENERAL MANAGER'S REPORT**

Gen. Mgr. Paxman reported the Fiduciary & Audit Committee will soon be meeting to review possible water rate increase scenarios and collection of rates and fees.

Gen. Mgr. Paxman reported the NWRA Conference is scheduled for November 2-4, 2022 in Santa Barbara. He asked the trustees to let Sherrie know if they will be attending if they haven't already done so.

Gen. Mgr. Paxman reported we have been informed the District was successful in its \$21,586,000 BRIC grant application for the Davis Aqueduct parallel pipeline project. He said the project will bid next spring, and we expect a lot of long lead construction items.

Gen. Mgr. Paxman reported the Town of Echo has been asking us for assistance in transporting them drinking water again this year. He said state officials have also encouraged our support of Echo's needs. He said Echo has been pursuing funding to assist with the needed rehabilitation of their drinking water system.

Gen. Mgr. Paxman reported our Flip Your Strip program has been very popular. He said to date, we have seen applications for the removal of 600,000 s.f. of turf.

Gen. Mgr. Paxman reported the District was successful in receiving a \$10 million grant from State ARPA funds for secondary metering projects. He said this was the maximum amount awarded for metering projects.

Gen. Mgr. Paxman reported we were also successful in obtaining a \$1.1 federal grant to be used for future drought projects. He said we are grateful for these grant monies.

Gen. Mgr. Paxman reported this year we have issued about 1,500 warnings, approximately 100 each \$250 fines, and two each \$500 fines. He said our staff has been working very hard during this drought year.

Gen. Mgr. Paxman reported legislative committee meetings are beginning to get very busy. He said he will keep the Board updated on these committees.

Gen. Mgr. Paxman reported Chairman Jensen will be selecting a trustee to serve on the committee the select a legislative consultant after proposals are submitted.

**X
ADJOURNMENT**

There being no further business for discussion, meeting adjourned at 11:15 a.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Scott Paxman".

Scott W. Paxman, General Manager/CEO

The Board of Trustees of the Weber Basin Water Conservancy District, Utah, met in public session August 25, 2022, at 9:00 a.m., at District headquarters, Layton, Utah. Meeting was called to order by Chairman Marlin K. Jensen. On roll call the following members were found to be present:

Present:

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

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

Brittney Bateman, Finance & Economics Manager
Calysta Bravo, Accounting & Budget Officer
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Derek Johnson, Mgr. of Engineering
Sherrie Mobley, Mgr. of Administration
Jesse Moreno, Staff Engineer
Brad Nelson, Assistant General Manager
Riley Olsen, Mgr. of Water Supply & Power
Jon Parry, Assistant General Manager
Sam Sorensen, Mgr. of Maintenance
Kathy Wood, Human Resources Manager

Grant Doty, Division of Water Resources
Kerry Gibson, Lincoln-Hill Partners
Rick Smith, Davis & Weber Counties Canal Company

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, 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) Ty Lechtenberg.....0.1 a.f. NEW

B. SUMMIT COUNTY:

- 1) Mirla Jean Homer Revocable Trust & Edwin Gordon Homer Revocable Trust 1.0 a.f. NEW
- 2) Derick & Melissa Wright Trust 1.0 a.f. NEW

C. WEBER COUNTY:

- 1) Bar B Ranch, Inc. 5.75 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 General Manager/CEO of the District caused due and proper notice of the holding of such hearing to be posted to the Utah Public Notice Website on August 10, 2022, 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 Chairman 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 General Manager/CEO of the District is authorized and directed to attest said order.

Section 4. The General Manager/CEO 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 Summers, seconded by Trustee Elliott and passed unanimously, approving petitions for water contracts in Davis, Summit and Weber County and adopting the foregoing resolution.

Approved and adopted August 25, 2022.



Marlin K. Jensen, Chairman

ATTEST:



Scott W. Paxman, Secretary

(SEAL)