WEBER BASIN WATER CONSERVANCY DISTRICT
BOARD OF TRUSTEES MEETING
THURSDAY, APRIL 25, 2024, 9:00 A.M.
DISTRICT HEADQUARTERS

1) Welcome & Pledge of Allegiance..... Chair Osguthorpe

2) Consideration of Approval of Minutes for Regular Board Meeting, Hearing on Petitions for Water Contracts held March 28, 2024 and Orientation Meeting held March 25, 2024.....Chair Osguthorpe

3) Consideration of Approval of Third Quarter 2024 Financial Report..... Trustee Buttschardt

Gen. Mgr. Paxman
4) Policies and Procedures Update.....Fin. Analyst Bateman

5) Consideration of Approval of Petitions for Water Contracts, Transfers of Water, and Cancellations.....Mgr. Searle

A. DAVIS COUNTY:

Cancellations of Water

1) Ace Athletics Holding LLC.....5.99 a.f. Proj
Farmington (08-082-0006)

2) Brigham & Brooke Ballard.....0.28 a.f. Proj
Kaysville (11-914-0224)

3) Dallin Barton and Sara Clark.....0.25 a.f. Proj
Kaysville (11-914-0215)

4) Abigail Christoffersen.....0.23 a.f. Proj
Kaysville (11-897-0101)

5) Scott & Susan Crapo.....0.35 a.f. Proj
Kaysville (11-914-0231)

6) Ashley & Brett Israelsen.....0.33 a.f. Proj
Kaysville (11-914-0235)

7) Jaxon Keller .....1.16 a.f. Proj
Kaysville (11-897-0116)

8) Melanie Nef and Jeff Hansen.....0.37 a.f. Proj
Kaysville (11-914-0234)

9) Trent & Shaleah Sorensen .....0.28 a.f. Proj
Kaysville (11-914-0222)

Petitions for Water

1) E & H Land LLP.....0.60 a.f. Dist 4
Farmington (08-696-0005)

B. WEBER COUNTY:

Cancellations of Water

1) CW Land Co LLC.....0.65 a.f. Dist 3
   Huntsville (21-172-0003)

2) Stefan Lempka and Lauren Ford.....1.38 a.f. Proj
   Farr West (19-455-0015)

3) Richard & Helena Paden.....1.08 a.f. Proj
   Farr West (19-455-0009)

Petitions for Water

1) Jungfrau Aletsch Trust.....0.65 a.f. Dist 4
   Eden (22-007-0114)

6) Water Supply Report..... Mgr. Olsen

7) Consideration of Approval of the Construction Gen. Mgr. Paxman
   Contract for the Little Mountain 4.0 MG Tank..……...and AGM Nelson

8) Consideration of Approval of the Hillfield Vault Gen. Mgr. Paxman
   Memorandum of Understanding……...and AGM Hess

9) General Managers Report……...Gen. Mgr. Paxman

10) Other Business

11) Closed Session to Discuss Possible Property Acquisition

MINUTES OF A REGULAR MEETING OF THE WEBER BASIN WATER CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD THURSDAY, APRIL 25, 2024, 9:00 A.M., AT DISTRICT HEADQUARTERS

Present:
Chair Angie Osguthorpe
Trustee Jared Andersen
Trustee Kym O. Buttschardt
Trustee Randy B. Elliott
Trustee Gage Froerer
Trustee Scott K. Jenkins
Trustee Paul C. Summers

Excuse:
Trustee Mark D. Anderson
Trustee Christopher F. Robinson
Mike Malmborg, Legal Counsel

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

Brittney Bateman, Finance Analyst
Suzy Eppens, Contracts Administrator
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Shane McFarland, Mgr. of Engineering
Brad Nelson, Assistant General Manager
Jon Parry, Assistant General Manager
Kendall Searle, Mgr. of Administration
Kathy Wood, Mgr. of Human Resources

I
WELCOME & PLEDGE OF ALLEGIANCE

Chair Osguthorpe welcomed all in attendance. She excused Trustee M. Anderson and Trustee Robinson then led the group as they recited the Pledge of Allegiance.

II
APPROVAL OF MINUTES

Chair Osguthorpe presented minutes of the regular board meeting and hearing on petitions for water contracts held March 28, 2024 and orientation meeting held March 25, 2024 for review and approval. There were no additions or corrections. Motion was made by Trustee Jenkins, seconded by Trustee J. Andersen and passed unanimously, approving the minutes.

III
CONSIDERATION OF APPROVAL OF THIRD QUARTER 2024 FINANCIAL REPORT

In the absence of Mgr. Bravo, Chair Osguthorpe invited Fin. Analyst Bateman to begin the review of the March 2024 financial report. Fin. Analyst Bateman reviewed revenues and expenses in detail. She said we have a bump in revenues due to surplus power sales and expenses are a bit over budget mostly due to the meter co-op reimbursements that have yet to come. Fin. Analyst Bateman said the proceeds budget is also off due to anticipated WIFA funding not yet received. She explained the funding is coming next fiscal year, but the District will be reimbursed for any qualifying expenses this year. She then reviewed the O&M report and provided explanations for any costs that exceeded its year-to-date budgeted amount.

Fin. Analyst Bateman ended her presentation by comparing the actual verses year-to-date budget and stated the District is in great shape and right on track with the 2024 budget. Questions from the board were then answered.

Chair Osguthorpe acknowledged a motion made by Trustee Buttschardt, seconded by Trustee Elliott, and all were in favor of accepting the March 2024 financial report as presented.

IV
POLICIES AND PROCEDURES UPDATE

Fin. Analyst Bateman then presented the proposed changes to the District's Policies and Procedures Manual based on newly passed legislation. She reviewed the following bills, explained the effects to the District, and showed the updated language to be included in the manual.

SB259 – Requirements for Districts Providing Services: adds language to allow for electronic payments to be made by the District

HB36 – Open and Public Meetings Act Amendments: adds language to clarify electronic meeting requirements, a vote must be voiced and the electronic option must be advertised

HB80 – Candidate and Officeholder Disclosure Modifications: a disclosure form will be sent every year, trustees will fill out and submit to the clerk, and the clerk will post to the website and notify the attorney general if procedures not followed.

HB266 – Government Records Ombudsman Amendments: adds language that explains if a GRAMA request is denied an appeal can be made to the Government Records Ombudsman

Investment Policy – recommended changes after an investment policy review to provide clarification and update language to formally include a safekeeping and custody section

Motion was made by Trustee Buttschardt, seconded by Trustee Elliott, and the presented updates to the policies and procedures were unanimously approved.

V
CONSIDERATION OF APPROVAL OF CANCELLATIONS OF WATER

Mgr. Searle presented the following cancellations of water contracts.

A. DAVIS COUNTY:

1) Ace Athletics Holding LLC ..... 5.99 a.f. Proj
   Farmington (08-082-0006)

2) Brigham & Brooke Ballard ..... 0.28 a.f. Proj
   Kaysville (11-914-0224)

3) Dallin Barton and Sara Clark ..... 0.25 a.f. Proj
   Kaysville (11-914-0215)

4) Abigail Christoffersen ..... 0.23 a.f. Proj
   Kaysville (11-897-0101)

5) Scott & Susan Crapo ..... 0.35 a.f. Proj
   Kaysville (11-914-0231)

6) Ashley & Brett Israelsen ..... 0.33 a.f. Proj
   Kaysville (11-914-0235)

7) Jaxon Keller ..... 1.16 a.f. Proj
   Kaysville (11-897-0116)

8) Melanie Nef and Jeff Hansen ..... 0.37 a.f. Proj
   Kaysville (11-914-0234)

9) Trent & Shaleah Sorensen ..... 0.28 a.f. Proj
   Kaysville (11-914-0222)

B. WEBER COUNTY:

1) CW Land Co LLC.....0.65 a.f. Dist 3
Huntsville (21-172-0003)

2) Stefan Lempka and Lauren Ford.....1.38 a.f. Proj
Farr West (19-455-0015)

3) Richard & Helena Paden.....1.08 a.f. Proj
Farr West (19-455-0009)

Mgr. Searle reported the cancellations in Kaysville are for parcels located in Talbot Estates where secondary water is not usable. He said similarly, the Farr West cancellations are in Parkside Estates where District secondary water is not usable. Mgr. Searle explained District staff sent letters to these homeowners explaining the situation and offering to cancel the unusable water.

Mgr. Searle said the cancellation for the parcel in Huntsville has District 3 replacement water. He said as a contingency of closing, the purchaser asked that all water be removed from the parcel.

Mgr. Searle said District staff reviewed all cancellations presented and recommended approval.

Motion was made by Trustee Froerer, seconded by Trustee Summers and passed unanimously, 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 Chair and General Manager 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) Ace Athletics Holding LLC.....5.99 a.f. Proj
2) Brigham & Brooke Ballard.....0.28 a.f. Proj
3) Dallin Barton and Sara Clark.....0.25 a.f. Proj
4) Abigail Christoffersen.....0.23 a.f. Proj
5) Scott & Susan Crapo.....0.35 a.f. Proj
6) Ashley & Brett Israelsen.....0.33 a.f. Proj
7) Jaxon Keller.....1.16 a.f. Proj
8) Melanie Nef and Jeff Hansen.....0.37 a.f. Proj
9) Trent & Shaleah Sorensen.....0.28 a.f. Proj
10) CW Land Co LLC.....0.65 a.f. Dist 3
11) Stefan Lempka and Lauren Ford.....1.38 a.f. Proj
12) Richard & Helena Paden.....1.08 a.f. Proj

VI
WATER SUPPLY REPORT

Chair Osguthorpe invited Mgr. Olsen to present. He began by reviewing the following reservoir content data:

RESERVOIR	TOTAL CAPACITY	DISTRICT CAPACITY	ACCRUED TO DIST TO DATE	% OF DIST CAPACITY	HISTORICAL RESERVOIR CONT. AS OF 4/24/23	AS OF 4/26/22
CAUSEY	7,870	6,870	4,514	66%	2,599	6,470
E CANYON	51,200	20,110	11,075	55	24,050	33,280
ECHO	73,940	6,357	0	0	22,150	36,820
LOST CRK	22,510	20,010	18,460	92	6,600	9,490
PINEVIEW	110,150	66,228	50,179	76	21,790	52,200
SMITH-M	8,351	6,560	3,364	51	3,532	4,543
WANSHIP	62,120	60,000	43,825	73	16,920	48,250
WILLARD	247,302	222,273	192,432	87	169,746	105,920
TOTAL	**583,443**	**408,408**	**323,849**	**79%**	**267,387**	**296,973**

Percent of District upstream storage is 71%.

Mgr. Olsen said we are pushing max capacity for the generators at Causey which will likely spill this weekend. He said Pineview is seeing good inflows which can be seen by the uptick in storage. Mgr. Olsen said Rockport and Smith and Morehouse have been holding steady but have started to accumulate with runoff. He reported Echo, Lost Creek, and East Canyon are steadily climbing in storage. Mgr. Olsen reported that the outlet works at Willard Bay are now closed with the intention of filling the top two feet now that irrigation season has started.

Mgr. Olsen then presented the SNOTEL at 122% median for the basin and said during this time of year, when snow is melting, this number has less meaning for operations. He then showed the Snow Water Equivalent graph, pointing out that it is quickly declining with the drier and inconsistent weather the past month.

Mgr. Olsen shared the runoff forecasts and said we are at 114% of average overall. He showed the forecasted inflows have dropped substantially, specifically at East Canyon. Mgr. Olsen said the drier weather and warming temperatures caused this drop. Gen. Mgr. Paxman said we depend on these forecasts that are provided by the Colorado River Basin Forecast Center, and it is discouraging to see a 20% drop in less than a couple weeks. He said that is not as accurate as we need, but we do our best with the information we are given.

Mgr. Olsen then showed the current releases chart, and said due to the drop in forecasted runoff, we have reduced our releases in most areas.

Mgr. Olsen gave an update on the Great Salt Lake (GSL). He said since the beginning of the water year, October 1, the District has contributed 315,140 ac-ft. Gen. Mgr. Paxman predicted there will be around 100,000 a.f. more to the GSL, but the irrigation season has begun and there are other variables at play. Mgr. Olsen shared the lake elevation for the year showing an increase of 2.8ft since the beginning of the water year.

Discussion on GSL continued regarding the causeway, inflows and outflows, and the potential for a mechanical control gate to be installed eventually.

VII
CONSIDERATION OF APPROVAL OF THE CONSTRUCTION CONTRACT FOR THE LITTLE MOUNTAIN 4.0 MG TANK

AGM Nelson said the District operates and maintains two culinary tanks at Little Mountain in western Weber County. He shared a map showing the two existing tanks and said the 1MG tank was installed in 1979 and the 2MG tank was installed in 2006. In order to meet future growth and operational needs of this area, the District needs more storage capacity. AGM Nelson said the District intends to replace the existing 1MG tank with a 4MG tank.

AGM Nelson said the proposed project will include demolition of the existing 1MG tank and expansion of the retention pond, installing the new 4MG tank, and installing the necessary piping and equipment to connect the new tank to the system.

AGM Nelson reviewed the three bids received on the project, and stated it was a very tight bid with only $17,000.00 difference in the top two. He then said ProBuild was the lowest qualified bid at $9,847,672.30 and District staff recommends approval to award the contract to ProBuild. He said we have worked with ProBuild before and are confident in their ability and expertise.

AGM Nelson then answered questions from the board.

Motion was made by Trustee Jenkins, seconded by Trustee J. Andersen and passed unanimously, awarding the contract to ProBuild 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 Chair and the General Manager of said District be, and they are, hereby authorized and empowered to execute on behalf of said District a construction contract for the Little Mountain Tank Replacement Project to ProBuild Construction in the amount of $9,847,672.30, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

VIII
CONSIDERATION OF APPROVAL OF THE HILLFIELD VAULT MEMORANDUM OF UNDERSTANDING

AGM Hess gave background stating the District owns and operates multiple culinary pipelines delivering water from treatments plants and wells to northwest Davis County. He shared a map and showed the main transmission pipeline is located between I-15 and Hill Air Force Base in a District owned easement. AGM Hess explained the existing Hillfield Vault is aging and needs replacement.

AGM Hess said Military Installation Development Authority (MIDA) is planning extensive development in future years as part of major I-15 reconstruction projects. He said Sunset Ridge Development Partners LLC (SRDP) was chosen as the sole developer of the Falcon Hill Enhanced Use Lease Project. Falcon Hill Drive will be extended on the east side of I-15 from 1800 North to 200 South and the road alignment follows the Distict’s culinary transmission pipeline and Hillfield Vault.

The Memorandum of Understanding (MOU) is between the three parties, MIDA, SRDP, and the District. The MOU states that SRDP will reimburse the District for 100% of the Hillfield Vault replacement costs due to road construction over the vault. AGM Hess stated the District will vacate the existing pipeline easement, and MIDA will grant two new easements to the District. He said the first will be the Southern Easement, which is identical to the existing easement but will be non-exclusive, and the second will be the Northern Easement, which is exclusive and will preserve the corridor for the District’s future master-planned pipeline.

Motion to approve was made by Trustee Summers, seconded by Trustee Jenkins, and passed unanimously approving the MOU 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 Chair and General Manager of said District be, and they are hereby, authorized and empowered to execute on behalf of said District a Memorandum of Understanding with Military Installation Development Agency and Sunset Ridge Development Partners LLC 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 said the District was awarded $1.5M from the Bureau of Reclamation (BOR) for a solar project. He said the District will install solar panels over 1,400ft of the Layton Canal. Gen. Mgr. Paxman said it will take a few months to get the contract from the BOR, but we anticipate to start the design early this fall, then construction will take place next fall. He said the project is expected to cost around $2.5M to $3M total, so the District will pay for a portion. Gen. Mgr. Paxman said we can sell any power we generate back to Rocky Mountain Power, so the project is a good investment. He said there were only three entities awarded money for solar projects, one in California, one in Oregon, and the District.

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Gen. Mgr. Paxman said the District had a very good Spring Employee Meeting. He said Utah Retirement Systems, Public Employee Health Program, and District staff presented regarding employee benefits, safety, and other policy changes. He said we emphasized a "Be Prepared" theme and presented each employee with a GO-Bag emergency kit.

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Gen. Mgr. Paxman reported the National Water Resource Association's Federal workshop in Washington DC was a success. He said nearly the entire Utah Delegation was there and we had some great one-on-one conversations with each congress person, and they all understand the issues. He said we shared a summary of priorities with each, and that makes this annual meeting very worthwhile.

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Gen. Mgr. Paxman said irrigation season is in full swing and all areas are charged and running. He said there are always leaks and other issues to fix, causing down areas when water turns on and is pressurized, but our crews respond as quickly and efficiently as possible.

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Lastly, Gen. Mgr. Paxman shared the District received an award for the new 5.8MG Hwy 89 Tank. He said the award is from the Intermountain Chapter of American Concrete Institute. Gen. Mgr. Paxman said our contractor ProBuild and engineering design team Bowen Collins all received an award for this project. He said the project was considered because of the unique build with pre-stressed concrete.

X
CLOSED SESSION TO DISCUSS POSSBILE PROPERTY ACQUISITION

Chair Osguthorpe recommended the board go into closed session for purposes of discussing the purchase of real property.

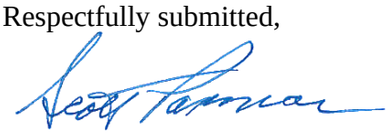
Motion was made by Trustee Elliott, seconded by Trustee J. Andersen and passed unanimously, directing the board go into closed session.

Motion was made by Trustee Elliott, seconded by Trustee J. Andersen and passed unanimously, directing the board adjourn closed session. No action was taken as a result of the closed session.

XI
ADJOURNMENT

There being no further business for discussion, meeting adjourned at 10:23 a.m.

Respectfully submitted,



Scott W. Paxman, General Manager/ CEO

The Board of Trustees of the Weber Basin Water Conservancy District, Utah, met in public session April 25, 2024, at 9:00 a.m., at District headquarters, Layton, Utah. Meeting was called to order by Chair Angie Osguthorpe. On roll call the following members were found to be present:

Present:
Chair Angie Osguthorpe
Trustee Jared Andersen
Trustee Kym O. Buttschardt
Trustee Randy B. Elliott
Trustee Gage Froerer
Trustee Scott K. Jenkins
Trustee Paul C. Summers

Excuse:
Trustee Mark D. Anderson
Trustee Christopher F. Robinson
Mike Malmborg, Legal Counsel

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

Brittney Bateman, Finance Analyst
Suzy Eppens, Contracts Administrator
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Shane McFarland, Mgr. of Engineering
Brad Nelson, Assistant General Manager
Jon Parry, Assistant General Manager
Kendall Searle, Mgr. of Administration
Kathy Wood, Mgr. of Human Resources

Mgr. Searle 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 Morgan, Summit, and Weber Counties, Utah, by the Weber Basin Water Conservancy District, should not be granted.

Mgr. Searle 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) E & H Land LLP.....0.60 a.f. Dist 4
Farmington (08-696-0005)

B. WEBER COUNTY:

1) Jungfrau Aletsch Trust.....0.65 a.f. Dist 4
Eden (22-007-0114)

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 of the District caused due and proper notice of the holding of such hearing to be posted to the Utah Public Notice Website on April 10, 2024, 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 Chair 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/Secretary of the District is authorized and directed to attest said order.

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 Froerer, seconded by Trustee Summers and passed unanimously, approving petitions for water contracts in Davis and Weber Counties and adopting the foregoing resolution.

Approved and adopted April 25, 2024.

Angie Osguthorpe, Chair

ATTEST:

Scott W. Paxman, General Manager/ CEO

(SEAL)

MINUTES OF AN ORIENTATION MEETING OF THE WEBER BASIN WATER CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD MONDAY, APRIL 1, 2024, 9:00 A.M., AT DISTRICT HEADQUARTERS

Present:
Chair Angie Osguthorpe
Trustee Jared Andersen
Trustee Mark D. Anderson
Trustee Kym O. Buttschardt
Trustee Randy B. Elliott
Trustee Gage Froerer
Trustee Scott K. Jenkins
Trustee Christopher F. Robinson
Trustee Paul C. Summers

Scott W. Paxman, General Manager/CEO
Brad Nelson, Assistant General Manager
Jon Parry, Assistant General Manager
Darren Hess, Assistant General Manager

I
TOUR OF POSSBILE PROPERTIES TO PURCHASE

All in attendance meet in west Weber County and toured various properties the District may purchase for the location of the future West Weber Water Treatment Plant.

II
ADJOURNMENT

There being no further business for discussion, meeting adjourned at 11:30 a.m.

Respectfully submitted,

Scott W. Paxman, General Manager / CEO