

**MINUTES OF AN ORIENTATION MEETING OF THE WEBER BASIN WATER
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD MONDAY,
MAY 22, 2023, 10:00 A.M., AT DISTRICT HEADQUARTERS**

Present:

Chairman, Marlin K. Jensen
Trustee Mark D. Anderson
Trustee Jared Andersen
Trustee Kym O. Buttschardt
Trustee Randy B. Elliott
Trustee Scott K. Jenkins
Trustee Paul C. Summers

Excused:

Trustee Christopher F. Robinson
Trustee Angie Osguthorpe

Scott W. Paxman, General Manager/CEO

Suzy Eppens, Contracts Admin.
Darren Hess, Assistant General Manager
Brad Nelson, Assistant General Manager
Jon Parry, Assistant General Manager
Greg Pierce, Mgr. of Strategic Initiatives
Kendall Searle, Mgr. of Administration

**I
CYBER SECURITY UPDATE**

Chairman Jensen welcomed all in attendance and invited Gen. Mgr. Paxman to start the meeting. Gen. Mgr. Paxman stated runoff is picking up and water levels are looking good. Discussion took place on runoff, flooding concerns, and reservoirs filling.

Gen. Mgr. Paxman invited Mgr. Pierce to present. Mgr. Pierce stated he and his crew have done extensive training at Idaho National Lab with the Cybersecurity and Infrastructure Security Agency (CISA). He said these organizations, along with Homeland Security, have partnered and offer excellent training which has been valuable to his department and employees. Mgr. Pierce then gave an overview of his staff and his department's responsibilities.

Mgr. Pierce answered many questions from the board. Much discussion took place on the District's backup procedures as well as storage. Mgr. Pierce assured the board that our practices give additional redundancy and resiliency for expansion and security for the District. He stated the District has adopted much of the American Water Works Association (AWWA) guidelines for water related systems, and that our backups are secure, encrypted, and we are confident in their effectiveness.

Mgr. Pierce answered more questions from the trustees. He reminded the board of the ransom ware attack on the District around six year ago that we decrypted, had no data loss, and did not pay any money out. Mgr. Pierce said the most critical part of being prepared is our backups for this very reason.

Chairman Jensen asked what the District insurance policy is on a ransom ware attack. Mgr. Pierce replied our current policy is up to \$2MM.

Mgr. Pierce shared pictures of the District's SCADA system. He explained the District two networks are a SCADA network and a business network and gave an overview of each.

Mgr. Pierce ended his presentation with the District's ongoing efforts, and stated we are vigilant in keeping current on optimizing and updating.

**II
GATEWAY CANAL LANDSLIDE UPDATE**

Gen. Mgr. Paxman said we have had emergency work begin on the Gateway Canal with Whitaker Construction as well as other contractors, due to a landslide, and he invited AGM Nelson to present on the situation. AGM Nelson showed the location of the landslide along the

Gateway Canal and mentioned historic landslides have been in this area. He reviewed the mitigation efforts already in place and said the District carved out of the mountain above the canal, placed it below the canal, and made dewatering wells. AGM Nelson said our hydrologist thinks these mitigation efforts helped lessen the severity of the current slide which is falling away from the canal. He said the landslide took out about half the access road. AGM Nelson stated drilling is starting today to understand what's going on and where the slip plane begins which will help inform our response to the slide. AGM Nelson said we may need to work with Wasatch Peaks who owns the land below to create a heavier toe. Gen. Mgr. Paxman said this isn't a concern as they will be willing to work with us.

The District's immediate response is to construct a soldier pile wall and lagging with boards between I beams. He then shared the map of work to be done. AGM Nelson said once the lagging is secure, we can rebuild the road and get through this season.

Trustee J. Andersen asked if these are recommendations from the geologist, AGM Nelson replied yes, and that we will know more about long-term efforts soon.

AGM Nelson said Whitaker Construction is doing work in Wasatch Peaks and have reported quite a number of slides in the area. He said the soldier pile wall construction begins today and work should be done by the end of the week.

Gen. Mgr. Paxman stated we are presenting to the board because we are operating under emergency circumstances, and we are looking at around \$110,000 for this work.

Discussion continued.

III SNYDERVILLE BASIN REVIEW

Gen. Mgr. Paxman invited AGM Hess to present. AGM Hess showed a map of the Snyderville Basin area. He then summarized the reasons for the Master Agreement stating there were more than 20 pending lawsuits in 2010 and the District was appointed by the Governor and Federal Delegation to mediate the parties. The Master Agreement serves to create a unified approach to water supply for the Snyderville Basin.

AGM Hess continued to explain the optimization mechanism being surplus water agreements to facilitate the sharing of excess water supplies amongst the retailers. He said additional benefits of the agreement is delaying the need for a new, expensive importation project within the basin and establishing the District as the sole importer of new water supplies.

AGM Hess stated the agreements are updated annually with 10-year water need projections, but the immediate next five years are committed for supply and use.

Trustee M. Anderson asked how the current 10-year projection looks. AGM Hess replied it appears that Park City will continue to supply Summit Water with the demand, but the District is the sole water supply for future water needs.

AGM Hess answered many questions from the board and discussion continued.

AGM Hess shared a map of the current and future interconnects of the Snyderville Basin and reviewed the current five year commitments as well as the 10-year projections of surplus and demand.

AGM Hess explained the future importation project will be triggered when the surplus water in the basin is gone. He said the anticipated cost of the project is around \$150MM, so we are delaying as long as possible.

Trustee Summers asked if the existing treatment plant could be used to treat water in the future, to which AGM Hess replied yes. AGM Hess shared various options for meeting future demand. Discussion on financing and future options continued.

**IV
ASSISTING THE GREAT SALT LAKE TRUST – WHEELING WATER**

AGM Hess stated the District has been contacted by the Great Salt Lake Trust (GSL Trust), of which he is on the Board, and requested our help. He stated the District purchases water for Roy Water Conservancy District (Roy Water) for our West Haven system. He stated purchases range anywhere from 200-400 shares to have excess water on our system. AGM Hess explained that with such a good water year, we do not need excess water on our system. Therefore, the District would lease this water to the GSL Trust of 400 shares in Davis & Weber Counties Canal Company (D&W) to send to the Great Salt Lake. AGM Hess said another person called and wanted to donate her three shares to the lake this year. He said this is important to build relationships and community, and we can help this year so we will. AGM Hess explained this will allow the District to save high mountain storage and pump Willard Water to the Great Salt Lake.

Gen. Mgr. Paxman stated this will be a bigger issue moving forward as there are many entities that cannot deliver water to the Great Salt Lake, so we will help facilitate these transactions for the smaller entities.

Chairman Jensen asked what the amount of evaporation is each year off the lake. AGM Hess answered about 3MM ac-ft evaporate each year.

Trustee M. Anderson voiced his support for this effort and the relationships we are building as a result of the cooperation.

Discussion continued.

**V
ADJOURNMENT**

There being no further business for discussion, meeting adjourned at 11:55 a.m.

Respectfully submitted,



Scott W. Paxman, General Manager/CEO

**MINUTES OF A MEETING OF THE BOARD OF TRUSTEES
OF WEBER BASIN WATER CONSERVANCY DISTRICT HELD FOR THE
PURPOSE OF HEARING ASSESSMENTS FOR WATER CONTRACTS FOR
BOX ELDER, DAVIS, MORGAN, SUMMIT AND WEBER COUNTIES,
MAY 25, 2023, 9:00 A.M., AT DISTRICT HEADQUARTERS**

The Board of Trustees of the Weber Basin Water Conservancy District Utah, met in public session May 25, 2023, for the purpose of hearing Box Elder, Davis, Morgan, Summit and Weber Counties assessments, at the office of the Board of Trustees, District Headquarters, 2837 E. Highway 193, Layton, Davis County, Utah. Chairman Marlin Jensen was designated by the Board to serve as Chairman of the hearing. On roll call the following Trustees and attendees were found to be present:

Present:

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

Excused:

Trustee Christopher F. Robinson
Jody Williams, Legal Counsel

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

Brittney Bateman, Fin. Analyst
Suzy Eppens, Contracts Admin.
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Derek Johnson, Mgr. of Engineering
Riley Olsen, Mgr. of Water Supply & Power
Brad Nelson, Assistant General Manager
Greg Pierce, Mgr. of Strategic Initiatives
Kendall Searle, Mgr. of Administration
Sam Sorensen, Mgr. of Maintenance
Tom Waite, Strategic Initiatives Programmer
Kathy Wood, Mgr. of Human Resources

Lynn Jorgensen, Whitaker Construction

Gen. Mgr. Paxman 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 water contract assessments to be levied in Box Elder, Davis, Morgan, Summit and Weber counties, or any of them, should not be levied. No objections to such assessments in Box Elder, Davis, Morgan, Summit and Weber counties were filed.

A hearing was opened for public comments.

Chairman Jensen asked if anyone had comments they wanted to direct to the board. There were no comments from the public.

Motion was made by Trustee Buttschardt, seconded by Trustee Summers and passed unanimously, directing the hearing be closed.

After discussion ceased, motion was made by Trustee Anderson, seconded by Trustee Robinson and passed unanimously, approving and adopting the attached resolutions fixing water contract Assessments in Box Elder, Davis, Morgan, Summit and Weber Counties.

Approved and adopted May 25, 2023.

Handwritten signature of Marlin K. Jensen in black ink.

Marlin K. Jensen, Chairman

ATTEST:

Handwritten signature of Scott W. Paxman in blue ink.

Scott W. Paxman, General Manager/CEO

(SEAL)

**RESOLUTION FIXING ASSESSMENTS FOR WATER CONTRACTS
IN BOX ELDER COUNTY, UTAH – 2023**

WHEREAS, the Board of Trustees of the District, pursuant to the provisions of Section 17A-2-1428, U.C.A., 1953, did on May 25, 2023, meet in public session pursuant to due and legal notice by publication of the time and place of such meeting, for the purpose of considering objections to the assessments proposed to be levied under water contracts with private water users and orders covering lands in Box Elder County, Utah.

NOW, THEREFORE, the Board of Trustees of the District has and does hereby finally determine that the amount so payable with respect to each such parcel of land for the year 2024, which amounts are perpetual tax liens upon said lands under the provisions of the Water Conservancy Act of Utah, and which shall be levied and assessed in the year 2023 under the provisions of such act, are and shall be upon the following basis:

	<u>Payment under petition</u>	<u>Service Fee</u>
M&I AS SECONDARY	\$133.29 per a.f.	\$79.75 per contract
WASATCH FRONT AGRICULTURAL	\$14.57 - \$24.79 per a.f.	\$18.25 per contract

and with respect to each parcel of land is in the total amount hereinafter set out:

(LIST ATTACHED)

A certified copy of this resolution shall be delivered to the County Auditor of Box Elder County, within which County the lands herein referred to are located and the assessments hereby fixed and determined shall be extended by such County Auditor on the tax roll as flat special assessments in the amounts herein set forth against the respective parcels of land for which such water has been allotted, as provided by Section 17A-2-1426, U.C.A., 1953, as amended.

I, Scott W. Paxman, General Manager/CEO of the Weber Basin Water Conservancy District, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Trustees of said District at a regular meeting held May 25, 2023.



Scott W. Paxman, General Manager/CEO

(SEAL)

**RESOLUTION FIXING ASSESSMENTS FOR WATER CONTRACTS
IN DAVIS COUNTY, UTAH – 2023**

WHEREAS, the Board of Trustees of the District, pursuant to the provisions of Section 17A-2-1428, U.C.A., 1953, did on May 25, 2023, meet in public session pursuant to due and legal notice by publication of the time and place of such meeting, for the purpose of considering objections to the assessments proposed to be levied under the contracts with private water users and orders covering lands in Davis County, Utah.

NOW, THEREFORE, the Board of Trustees of the District has and does hereby finally determine that the amount so payable with respect to each such parcel of land for the year 2024, which amounts are perpetual tax liens upon said lands under the provisions of the Water Conservancy Act of Utah, and which shall be levied and assessed in the year 2023 under the provisions of such act, are and shall be upon the following basis:

	Payment <u>under Petition</u>	<u>Service Fee</u>
PROJECT SECONDARY	\$120.29 per a.f.	\$79.75 per contract
M&I AS SECONDARY	\$133.29 per a.f.	\$79.75 per contract
DISTRICT 1 SECONDARY	\$261.57 per a.f.	\$79.75 per contract
DISTRICT 2 UNTREATED	\$330.98 per a.f.	\$79.75 per contract
DISTRICT 3 UNTREATED	\$501.68 per a.f.	\$79.75 per contract
RETAIL SECONDARY	\$500.00 per a.f.	\$79.75 per contract
WASATCH FRONT AGRICULTURAL	\$19.50 - \$24.79 per a.f.	\$18.25 per contract

And with respect to each parcel of land is in the total amount hereinafter set out.

(SEE ATTACHED LIST)

A certified copy of this resolution shall be delivered to the County Auditor of Davis County, within which County the lands herein referred to are located and the assessments hereby fixed and determined shall be extended by such County Auditor on the tax roll as flat special assessments in the amounts herein set forth against the respective parcels of land for which such water has been allotted, as provided by Section 17A-2-1426, U.C.A., 1953, as amended.

I, Scott W. Paxman, General Manager/CEO of the Weber Basin Water Conservancy District, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Trustees of said District at a regular meeting held May 25, 2023.



Scott W. Paxman, General Manager/CEO

(SEAL)

**RESOLUTION FIXING ASSESSMENTS FOR WATER CONTRACTS
IN MORGAN COUNTY, UTAH – 2023**

WHEREAS, the Board of Trustees of the District, pursuant to the provisions of Section 17A-2-1428, U.C.A., 1953, did on May 25, 2023, meet in public session pursuant to due and legal notice by publication of the time and place of such meeting, for the purpose of considering objections to the assessments proposed to be levied under water contracts with private water users and orders covering lands in Morgan County, Utah.

NOW, THEREFORE, the Board of Trustees of the District has and does hereby finally determine that the amount so payable with respect to each such parcel of land for the year 2024, which amounts are perpetual tax liens upon said lands under the provisions of the Water Conservancy Act of Utah, and which shall be levied and assessed in the year 2023 under the provisions of such act, are and shall be upon the following basis:

	<u>Payment under Petition</u>	<u>Service Fee</u>
WB AGRICULTURAL	\$17.70 per a.f.	\$5.75 per contract
PROJECT REPLACEMENT	\$86.47 per a.f.	\$57.00 per contract
DISTRICT 1 REPLACEMENT	\$186.35 per a.f.	\$57.00 per contract
DISTRICT 2 REPLACEMENT	\$254.35 per a.f.	\$57.00 per contract
DISTRICT 3 REPLACEMENT	\$443.52 per a.f.	\$57.00 per contract
RETAIL REPLACEMENT	\$443.52 per a.f.	\$57.00 per contract

and with respect to each parcel of land is in the total amount hereinafter set out:

(LIST ATTACHED)

A certified copy of this resolution shall be delivered to the County Auditor of Morgan County, within which County the lands herein referred to are located and the assessments hereby fixed and determined shall be extended by such County Auditor on the tax roll as flat special assessments in the amounts herein set forth against the respective parcels of land for which such water has been allotted, as provided by Section 17A-2-1426, U.C.A., 1953, as amended.

I, Scott W. Paxman, General Manager/CEO of the Weber Basin Water Conservancy District, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Trustees of said District at a regular meeting held May 25, 2023.



Scott W. Paxman, General Manager/CEO

(SEAL)

**RESOLUTION FIXING ASSESSMENTS FOR WATER CONTRACTS
IN SUMMIT COUNTY, UTAH – 2023**

WHEREAS, the Board of Trustees of the District, pursuant to the provisions of Section 17A-2-1428, U.C.A., 1953, did on May 25, 2023, meet in public session pursuant to due and legal notice by publication of the time and place of such meeting, for the purpose of considering objections to the assessments proposed to be levied under the water contracts with private water users and orders covering lands in Summit County, Utah.

NOW, THEREFORE, the Board of Trustees of the District has and does hereby finally determine that the amount so payable with respect to each such parcel of land for the year 2024, which amounts are perpetual tax liens upon said lands under the provisions of the Water Conservancy Act of Utah, and which shall be levied and assessed in the year 2023 under the provisions of such act, are and shall be upon the following basis:

	<u>Payment under Petition</u>	<u>Service Fee</u>
WB AGRICULTURAL	\$17.70 per a.f.	\$5.75 per contract
PROJECT REPLACEMENT	\$86.47 per a.f.	\$57.00 per contract
DISTRICT 1 REPLACEMENT	\$186.35 per a.f.	\$57.00 per contract
DISTRICT 2 REPLACEMENT	\$254.35 per a.f.	\$57.00 per contract
DISTRICT 3 REPLACEMENT	\$443.52 per a.f.	\$57.00 per contract
RETAIL REPLACEMENT	\$443.52 per a.f.	\$57.00 per contract

and with respect to each parcel of land is in the total amount hereinafter set out:

(LIST ATTACHED)

A certified copy of this resolution shall be delivered to the County Auditor of Summit County, within which County the lands herein referred to are located and the assessments hereby fixed and determined shall be extended by such County Auditor on the tax roll as flat special assessments in the amounts herein set forth against the respective parcels of land for which such water has been allotted, as provided by Section 17A-2-1426, U.C.A., 1953, as amended.

I, Scott W. Paxman, General Manager/CEO of the Weber Basin Water Conservancy District, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Trustees of said District at a regular meeting held May 25, 2023.



Scott W. Paxman, General Manager/CEO

(SEAL)

**RESOLUTION FIXING ASSESSMENTS FOR WATER CONTRACTS
IN WEBER COUNTY, UTAH – 2023**

WHEREAS, the Board of Trustees of the District, pursuant to the provisions of Section 17A-2-1428, U.C.A., 1953, did on May 25, 2023, meet in public session pursuant to due and legal notice by publication of the time and place of such meeting, for the purpose of considering objections to the assessments proposed to be levied under the water contracts with private water users and orders covering lands in Weber County, Utah.

NOW, THEREFORE, the Board of Trustees of the District has and does hereby finally determine that the amount so payable with respect to each such parcel of land for the year 2024, which amounts are perpetual tax liens upon said lands under the provisions of the Water Conservancy Act of Utah, and which shall be levied and assessed in the year 2023 under the provisions of such act, are and shall be upon the following basis:

	<u>Payment under Petition</u>	<u>Service Fee</u>
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M&I AS SECONDARY	\$133.29 per a.f.	\$79.75 per contract
DISTRICT 1 SECONDARY	\$261.57 per a.f.	\$79.75 per contract
DISTRICT 2 UNTREATED	\$330.98 per a.f.	\$79.75 per contract
DISTRICT 3 UNTREATED	\$501.68 per a.f.	\$79.75 per contract
RETAIL SECONDARY	\$500.00 per a.f.	\$79.75 per contract
WH SECONDARY	\$207.66 per a.f.	
WH AGRICULTURAL	\$37.16 per a.f.	
WASATCH FRONT AGRICULTURAL	\$19.50 - \$24.79 per a.f.	\$18.25 per contract
WB AGRICULTURAL	\$14.50 - \$17.70 per a.f.	\$5.75 per contract
PROJECT REPLACEMENT	\$86.47 per a.f.	\$57.00 per contract
DISTRICT 1 REPLACEMENT	\$186.35 per a.f.	\$57.00 per contract
DISTRICT 2 REPLACEMENT	\$254.35 per a.f.	\$57.00 per contract
DISTRICT 3 REPLACEMENT	\$443.52 per a.f.	\$57.00 per contract
RETAIL REPLACEMENT	\$443.52 per a.f.	\$57.00 per contract

and with respect to each parcel of land is in the total amount hereinafter set out:

(LIST ATTACHED)

A certified copy of this resolution shall be delivered to the County Auditor of Weber County, within which County the lands herein referred to are located and the assessments hereby fixed and determined shall be extended by such County Auditor on the tax roll as flat special assessments in the amounts herein set forth against the respective parcels of land for which such water has been allotted, as provided by Section 17A-2-1426, U.C.A., 1953, as amended.

I, Scott W. Paxman, General Manager/CEO of the Weber Basin Water Conservancy District, hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Board of Trustees of said District at a regular meeting held May 25, 2023.



Scott W. Paxman, General Manager/CEO

(SEAL)