

**MINUTES OF A REGULAR MEETING OF THE WEBER BASIN WATER
CONSERVANCY DISTRICT BOARD OF TRUSTEES HELD THURSDAY,
MARCH 2, 2023, 9:00 A.M., AT DISTRICT HEADQUARTERS**

Present:

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

Excuse:

Trustee Kym O. Buttschardt

Mike Malmborg, Legal Counsel

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

Brittney Bateman, Economics Planning Coordinator
Calysta Bravo, Finance Manager
Suzy Eppens, Contracts Administrator
Greg Pierce, Mgr. of Strategic Initiatives
Darren Hess, Assistant General Manager
Josh Hogge, Mgr. of M&I
Derek Johnson, Mgr. of Engineering
Brad Nelson, Assistant General Manager
Riley Olsen, Mgr. of Water Supply & Power
Jon Parry, Assistant General Manager
Kendall Searle, Mgr. of Administration
Sam Sorensen, Mgr. of Maintenance

Ben Kirk, Bureau of Reclamation
Kent Wilkerson, River Commissioner

**I
WELCOME & PLEDGE OF ALLEGIANCE**

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

**II
APPROVAL OF MINUTES**

Chairman Jensen presented minutes of the regular board meeting, hearing on petitions for water contracts, annual meeting (as to form only), and public hearing held February 2, 2023 and orientation meeting held January 30, 2023 for review and approval. Chairman Jensen noted one necessary correction in the regular board meeting minutes. There were no other additions or corrections. Motion was made by Trustee Elliott, seconded by Trustee M. Anderson and passed unanimously, approving the minutes with the noted change to the regular board meeting minutes.

**III
CONSIDERATION OF APPROVAL OF JANUARY 2023 FINANCIAL REPORT**

Chairman Jensen welcomed Finance Manager Bravo to begin the review of the January 2023 financial report. She stated this is the seventh month of the fiscal year so there will not be a quarterly report. Finance Manager Bravo reviewed the O&M report in detail and provided explanations to any costs that exceeded its year-to-date (YTD) budgeted amount. She said the YTD actual is well below the YTD budget largely due to delays on capital projects in getting materials and professional services.

Finance Manager Bravo 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 revenue, expenses, reserves, etc. Questions from the board were then answered.

Chairman Jensen acknowledged a motion made by Trustee Summers, seconded by Trustee Osguthorpe, and all were in favor accepting the January 2023 Financial Report as presented.

**IV
CONSIDERATION OF APPROVAL OF PRELIMINARY PROPOSED
FY2024 O&M BUDGET**

Finance Manager Bravo stated each year we review the preliminary Operation & Maintenance (O&M) budget and approve water rates for purposes of notifying our customers of their approximate water assessments for the coming year. She stated as a reminder that the 2024 water rates have already been approved by the board, so she will present the 2024 O&M Budget briefly to assure the board the District will cover O&M costs for the year.

Finance Manager Bravo stated the operating revenues are increasing by 8.5% and non-operating revenues will decrease around 20%. She stated water sales will see around a 4% increase in water rates, increased connection and meter replacement fees, and an anticipated decline in sales in 2024. Finance Manager Bravo explained the drop in the non-operating budget is being driven by transfers from other sub funds. She said looking at the big picture, an overall increase of 9.6% in revenues is anticipated from 2023 to 2024.

TENTATIVE BUDGET O&M REVENUES – FY2024

	FY2023 Budget	Est. FY2024 Budget	% Increase (Decrease)
OPERATING REVENUE	\$ 20,146,131.00	\$ 21,865,600.00	8.53%
WATER SALES	\$ 19,307,200.00	\$ 20,940,000.00	8.46%
Wholesale/Retail Contracts	\$ 19,227,200.00	\$ 20,860,000.00	8.49%
Reserved/Leased Contracts	\$ 80,000.00	\$ 80,000.00	0.00%
POWER SALES	\$ -	\$ -	0.00%
REIMBURSED EXPENSES	\$ 377,531.00	\$ 453,000.00	19.99%
MISCELLANEOUS	\$ 461,400.00	\$ 472,600.00	2.43%
Engineering & Development Fees	\$ 200,000.00	\$ 200,000.00	0.00%
Lab Receipts	\$ 135,000.00	\$ 145,000.00	7.41%
Misc	\$ 126,400.00	\$ 127,600.00	0.95%
Non-Operating Revenue	\$ 4,140,000.00	\$ 3,300,000.00	-20.29%
INTEREST	\$ 65,000.00	\$ 300,000.00	361.54%
TRANSFERS FROM OTHER SUBFUNDS	\$ 4,075,000.00	\$ 3,000,000.00	-26.38%
	\$ 24,286,131.00	\$ 25,165,600.00	9.67%

Finance Manager Bravo then discussed adjustments to the various expense categories: operations, sustainment, strategic initiatives, administrative, human resources, and reserves. She explained the human resources budget is increasing around 6% as the District intends to hire three new full time positions: one in the Water Supply Department for operations of the Farmington/Centerville irrigation system, due to Benchland not renewing their contract; the second position will be for the Municipal and Industrial Water Department, for the operation of the year-long water treatment pilot plant and assist in other treatment plant operations; the third position will be for the Conservation/Strategic Initiatives Department, for a programmer and data analyst position. She concluded by reporting overall the budget increased 1.42% in total expenses which includes an addition of \$535,175.00 to the O&M reserves ensuring we meet our policy.

TENTATIVE BUDGET O&M EXPENSES – FY2024

	FY2023 Budget	Est. FY2024 Budget	% Increase (Decrease)
OPERATIONS	\$ 6,199,000.00	\$ 5,556,500.00	-10.36%
WATER SUPPLY & POWER	\$ 4,173,000.00	\$ 3,467,000.00	(16.92%)
Annual Assessments & Agreements	\$ 1,220,000.00	\$ 1,210,000.00	(0.82%)
Secondary System Operations	\$ 1,508,000.00	\$ 1,177,000.00	(21.95%)
WS&P Facilities	\$ 1,045,000.00	\$ 1,070,000.00	2.39%
Drought Response	\$ 400,000.00	\$ 10,000.00	(97.50%)
MUNICIPAL & INDUSTRIAL	\$ 2,026,000.00	\$ 2,089,500.00	3.13%
Chemicals	\$ 1,386,000.00	\$ 1,453,400.00	4.86%
M&I Facilities	\$ 491,500.00	\$ 475,300.00	(3.30%)
Lab	\$ 148,500.00	\$ 160,800.00	8.28%
SUSTAINMENT	\$ 1,245,000.00	\$ 1,300,000.00	4.42%
MAINTENANCE	\$ 1,230,000.00	\$ 1,290,000.00	4.88%
District Facilities	\$ 435,000.00	\$ 460,000.00	5.75%
Vehicles & Equipment	\$ 795,000.00	\$ 830,000.00	4.40%
ENGINEERING	\$ 15,000.00	\$ 10,000.00	(33.33%)
Engineering Equipment & Services	\$ 15,000.00	\$ 10,000.00	(33.33%)
STRATEGIC INITIATIVES	\$ 816,500.00	\$ 762,000.00	(6.67%)
CONSERVATION DIVISION	\$ 573,500.00	\$ 519,000.00	(9.50%)
Community Outreach/Education	\$ 278,500.00	\$ 274,000.00	(1.62%)
Special Project & Study Sustainment	\$ 295,000.00	\$ 245,000.00	(16.95%)
INFORMATION SERVICES DIVISION	\$ 243,000.00	\$ 243,000.00	0.00%
IT Equipment/Services	\$ 133,000.00	\$ 133,000.00	0.00%
SCADA & Programming	\$ 110,000.00	\$ 110,000.00	0.00%
ADMINISTRATIVE SUPPORT	\$ 1,486,015.00	\$ 1,580,925.00	6.39%
Professional Services	\$ 1,020,000.00	\$ 1,092,700.00	7.13%
Office Supplies/Services	\$ 200,000.00	\$ 200,000.00	0.00%
Dues/Memberships/Subscriptions	\$ 25,000.00	\$ 25,000.00	0.00%
Overhead	\$ 241,015.00	\$ 263,225.00	9.22%
HUMAN RESOURCES	\$ 14,538,000.00	\$ 15,431,000.00	6.14%
Payroll	\$ 9,690,000.00	\$ 10,420,000.00	7.53%
Benefits	\$ 4,718,000.00	\$ 4,862,000.00	3.05%
Safety & Employee Development	\$ 130,000.00	\$ 149,000.00	14.62%
ADDITION TO (FROM) RESERVES	\$ 1,616.00	\$ 535,175.00	
TOTAL O&M EXPENSES	\$ 24,286,131.00	\$ 25,165,600.00	1.42%

Trustee Summers asked when the District anticipates returning to the bonding market, to which Gen. Mgr. Paxman responded the District anticipates going out for bonding next year.

Trustee Osguthorpe asked about the delay in receiving materials for projects, materials becoming more and more expensive, and if the District received any funding from the monies made available for rising costs. Gen. Mgr. Paxman replied, stating the money awarded is yet to be seen but that there is \$50MM designated for Wasatch Front aqueduct replacement projects and the District is hopeful to see \$20MM to \$30MM of that funding, but it depends on how the last few days of the legislature goes. He stated materials are still difficult to get on time, costs are escalated, and the increases are not slowing down, but these added costs are anticipated in the budget as best as they can be. Finance Manager Bravo added this is just the tentative O&M budget and much of those capital project costs can be placed in the reserves then pulled back out when they are needed.

Finance Manager Bravo presented the updated Consolidated Fee Schedule and mentioned that this is not state law but it is the State Auditor’s recommendation as best practice. She stated the fee schedule was updated with 2024 water rates that were approved February 2, 2023, updated service fees, District 4 rates, 5-year agricultural water subsidy payback, and updated admin fees.

Finance Manager Bravo then answered questions from the trustees. Upon completion, Trustee Summers motioned for approval of the Preliminary Proposed FY2024 O&M Budget. Motioned was seconded by Trustee Osguthorpe, and with all trustees voting in favor, the motion passed adopting the preliminary budget as presented.

V
CONSIDERATION OF APPROVAL OF CANCELLATIONS OF WATER

Mgr. Searle presented the following cancellations of water contracts.

A. DAVIS COUNTY:

- 1) Utah Department of Transportation0.1 a.f. Proj
Layton (09-082-0126)
- 2) Utah Department of Transportation0.22 a.f. Proj
Layton (09-064-0213)
- 3) Utah Department of Transportation0.1 a.f. Proj
Layton (09-068-0267)
- 4) Utah Department of Transportation0.2 a.f. Proj
Layton (09-081-0195)
- 5) Utah Department of Transportation0.1 a.f. Proj
Layton (09-068-0271)
- 6) Utah Department of Transportation0.1 a.f. Proj
Layton (09-081-0198)
- 7) Utah Department of Transportation0.42 a.f. Proj
Layton (09-081-0204)
- 8) Utah Department of Transportation0.31 a.f. Proj
Centerville (07-072-0194)
- 9) Utah Department of Transportation0.29 a.f. Proj
Centerville (07-072-0201)
- 10) Utah Department of Transportation0.25 a.f. Proj
Centerville (07-210-0332)

Mgr. Searle reported the ten cancellations in Davis County are being requested by Utah Department of Transportation because these small parcels are all being used for road projects where secondary water is not needed or usable. He said the cancellations add up to a total of 2.09 a.f. that will return to District storage. Mgr. Searle said all assessments are current and recommended approval of the cancellations.

Motion was made by Trustee M. Anderson, seconded by Trustee Robinson 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 Chairman 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) Utah Department of Transportation0.1 a.f. Proj
- 2) Utah Department of Transportation0.22 a.f. Proj
- 3) Utah Department of Transportation0.1 a.f. Proj
- 4) Utah Department of Transportation0.2 a.f. Proj
- 5) Utah Department of Transportation0.1 a.f. Proj
- 6) Utah Department of Transportation0.1 a.f. Proj
- 7) Utah Department of Transportation0.42 a.f. Proj
- 8) Utah Department of Transportation0.31 a.f. Proj
- 9) Utah Department of Transportation0.29 a.f. Proj
- 10) Utah Department of Transportation0.25 a.f. Proj

VI

CONSIDERATION OF APPROVAL OF ASSIGNMENTS OF WATER CONTRACTS

Mgr. Searle presented the following assignments of water.

A. MORGAN COUNTY:

- 1) Highlands Water Company1.0 a.f. Dist 1
Prev. Samuel Wright (03-005-042-01)

B. WEBER COUNTY:

- 1) Eden Crossing PWC 101.0 a.f. Proj
Prev. Osprey Ranch LLC (22-040-0026)

He reported Highlands Water Company is taking over a contract in Morgan County of an individual that lives in their services area and has hooked up to their system. This assignment allows the water company to manage the water, especially with the state exchanges.

Mgr. Searle stated Osprey Ranch LLC is assigning Eden Crossing PWC 101.0 a.f. of project water. He said this is common practice as the developer has the contract initially then when a water company is established to manage the developed area, they execute the assignment or name change contract.

Mgr. Searle stated all assessments are current and recommended approval of both assignments. Motion was made by Trustee M. Anderson, seconded by Trustee Robinson and passed unanimously, approving the two assignment documents 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 General Manager of said District be, and they are, hereby authorized and empowered to execute on behalf of said District assignment documents with the following entities, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

- 1) Highlands Water Company1.0 a.f. Dist 1
- 2) Eden Crossing PWC 101.0 a.f. Proj

**VII
WATER SUPPLY REPORT**

Chairman Jensen invited Mgr. Olsen to present. 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>HISTORICAL RESERVOIR CONT.</u>	
					<u>AS OF 2/21/22</u>	<u>AS OF 2/22/21</u>
CAUSEY	7,870	6,870	4,177	61%	4,251	3,723
E CANYON	51,200	20,110	6,229	31	26,210	30,440
ECHO	73,940	6,422	0	0	25,660	26,510
LOST CRK	22,510	20,010	7,360	37	7,325	12,290
PINEVIEW	110,150	66,228	18,849	28	28,080	55,370
SMITH-M	8,351	6,560	3,306	50	4,041	1,800
WANSHIP	62,120	60,000	37,875	63	31,350	33,870
WILLARD	<u>247,302</u>	<u>222,273</u>	<u>101,303</u>	<u>46</u>	<u>84,943</u>	<u>140,115</u>
TOTAL	583,443	408,473	179,099	44%	211,860	304,118

Percent of District upstream storage is 42%.

Mgr. Olsen presented slides showing the Ogden River and Weber River storage. He also discussed the District’s storage allocation, soil moisture levels, precipitation, forecasted runoff, weather outlooks, and drought monitor. He stated the Weber drainage dropped significantly because we are releasing from Echo and catching in Willard.

Trustee Elliott asked Mgr. Olsen if filling Willard is the priority. Gen. Mgr. Paxman answered currently the District’s priority is to make room for runoff, but yes, we will fill Willard as a result. Trustee Elliott asked if we anticipate filling Willard Bay to capacity to which Mgr. Olsen said yes, it looks good for filling completely.

Trustee Robinson asked Mgr. Olsen how much loss there is from Echo to Willard. Mgr. Olsen stated the Weber River is a gaining stream so this time of year the loss is very minimal. Trustee Robinson asked if it is accurate to assume we will fill all District reservoirs. Mgr. Olsen stated yes, Lost Creek and East Canyon may or may not fill completely, but again this year is very promising.

Mgr. Olsen presented the SNOTEL sites. Trustee Osguthorpe asked how we went down 18% from last month. Mgr. Olsen responded the median or average is going up every day, and the first part of February was dry so we dropped, but with a few storms at the end of the month we gained quite a bit back.

Trustee Jenkins asked about potential flooding, and stated the end of March and into April and May will be the danger zone. He asked if the District can react successfully to flooding should the need arise. Gen. Mgr. Paxman stated we are making room in reservoirs to catch some potential flooding and trying to anticipate the weather in the coming spring. Gen. Mgr. Paxman stated it is a fine line to walk and hard to determine with certainty due to the many variables.

Trustee J. Andersen asked what role the District plays in monitoring and maintaining the operation and maintenance of the Weber River. Gen. Mgr. Paxman stated that our role is refer issues on the river to counties. Our responsibilities and water rights are for the storage of the water in the reservoirs, though we do have diversion structures and crossings and that the District does maintain. He explained the counties have the responsibility for flood control though we do play a significant role in helping where we are able. Gen. Mgr. Paxman reminded the board of the 2011 flooding and how we minimized the flow in the river from 9,000 cfs to 6,000 cfs.

Discussion continued.

Mgr. Olsen presented runoff forecasts, the weather outlook, and the drought monitor. He stated many areas experiencing extreme drought have been updated to severe or moderate. He concluded by stating the information is encouraging and looks better than it has over the past few years.

**VIII
CONSIDERATION OF APPROVAL OF SNYDERVILLE BASIN
MEMORANDUM OF AGREEMENTS**

AGM Hess was invited by Chairman Jensen to present on the Snyderville Basin Memorandum of Agreements. He stated the agreement allows water to be transferred within the basin so those who need it have it, and those who have excess can sell it. AGM Hess explained Summit Water has a water deficit and must purchase additional water, and Mountain Regional and Park City have surplus water available for sale. He said as outlined in paragraph 2.4 of the agreement, this process was established in order to allow Weber Basin “to operate the Western Summit County Project in such manner as Weber Basin deems necessary and proper.”

AGM Hess also made mention that this agreement is intended to postpone the construction and payment of the large importation project that will eventually be needed in the basin. He said upon approval, the agreements will be valid for the next five years.

AGM Hess shared a map of the interconnects and said there is a possible fourth interconnect being constructed. He said as Mountain Regional lessens its delivery portion, Park City will increase their portion they sell, and the fourth interconnect will allow Park City to deliver to Summit Water and to Mountain Regional.

AGM Hess shared the following chart showing each entities need and delivery amounts:

	Entity	2023	2024	2025	2026	2027
Finished Water Demand (AC-FT)	Park City	0	0	0	0	0
	Mtn Regional	0	0	0	0	0
	Summit Water	1150	1150	1350	1550	1550
Finished Water Surplus (AC-FT)	Park City	450	550	850	1550	1550
	Mtn Regional	700	600	500	0	0
	Summit Water	0	0	0	0	0

There was much discussion on the future importation project and the unused treatment plant in that area.

AGM Hess stated the agreement is updated and revisited periodically and that the contract covers five years, but Park City is confident they can provide for up to ten years. AGM Hess stated we should see conservation become a priority for Summit Water. Trustee Summers asked if we have leverage to help this along. AGM Hess replied that our contract language and county ordinances will be helpful.

Motion was made by Trustee Robinson, seconded by Trustee J. Andersen and passed unanimously, approving the Snyderville Basin Memorandum of Agreements as presented 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

the Memorandum of Agreements for Snyderville Basin’s Western Summit County Project, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

IX

CONSIDERATION OF APPROVAL OF A CHANGE ORDER FOR FRUIT HEIGHTS CULINARY PIPELINE REPLACEMENT PROJECT

AGM Nelson began by saying this is a previously approved project, but some additional costs have surfaced. He said there were hiccups along the way including an alignment change due to an existing gas line, more water loops required than anticipated, and additional 24” and 18” main line fittings needed for the new alignment. Additionally, AGM Nelson said the actual asphalt depth was 5” not the anticipated 4” and the City of Fruit Heights is requiring full lane paving to ensure adequate driving surface.

Gen. Mgr. Paxman stated these bid items were included in the original contract, but the price escalated due to Mountain Road being full of utilities that were unmarked by some, so these are unexpected costs.

Trustee J. Andersen stated his understanding of the issues and shared his experience with encountering unanticipated utilities on several projects despite doing the necessary planning.

Motion to approve was made by Trustee Elliott, seconded by Trustee Osguthorpe, and passed unanimously approving the change order as presented 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 General Manager of said District be, and they are hereby, authorized and empowered to execute on behalf of said District a \$892,313.09 change order for the Fruit Heights Culinary Pipeline Replacement Project, on the terms and conditions contained in the form of agreement presented to and considered at this meeting.

X

CONSIDERATION OF APPROVAL OF SOUTH WEBER #2 WELL ELECTRICAL EQUIPMENT PRE-PURCHASE

AGM Nelson presented the background of the South Weber #2 Well project and stated the lead times for equipment delivery are lengthy. Because of this, District staff would like to get the needed electrical equipment ordered before the project is bid out later this year. Gen. Mgr. Paxman said electrical equipment lead times are even longer than lead times on other materials.

AGM Nelson shared the following items and lead timelines for pre-purchase:

- 150 KVA liquid filled MV transformer (\$43,114) – 105 weeks
- Metering Cabinet (\$41,705) – 46 weeks
- Padmount Switchgear (\$28,391) – 30 weeks
- MV Variable Frequency Drive (\$286,460) - 46 weeks

Trustee Jenkins stated he has experienced long lead time issues as well and motioned for approval. Motion was seconded by Trustee Summers, and passed unanimously approving the pre-purchase of the aforementioned electrical equipment for the South Weber #2 Well.

XI

CONSIDERATION OF APPROVAL OF A RESOLUTION ADOPTING MULTI-HAZARD MITIGATION PLAN UPDATE

AGM Nelson reported the Multi-hazard Mitigation Plan Update to the board. He said this

process serves to identify potential hazards to District facilities, perform hazard risk assessments, and develop hazard mitigation strategies. Gen. Mgr. Paxman stated the District reviews all our facilities and updates this plan every five years. He said it also allows us a certain number of points towards our criteria and FEMA funding, such as our parallel pipeline project.

AGM Nelson stated the plan was just approved by FEMA, and FEMA requires the board to adopt the plan. He reminded the board that going through this process helps the District to secure federal funding and that it is good to keep updated.

Trustee Summers moved for approval, Trustee Robinson seconded, and the vote was unanimous in approving the updated plan and adopting the following resolution.

**RESOLUTION OF THE BOARD OF TRUSTEES OF
WEBER BASIN WATER CONSERVANCY DISTRICT
ADOPTING THE WEBER BASIN WATER CONSERVANCY DISTRICT
MULTI-HAZARD MITIGATION PLAN UPDATE**

WHEREAS, the federal Disaster Mitigation Act of 2000 requires all cities, counties, and special districts to have adopted a local hazard mitigation plan to receive disaster mitigation funding from the Federal Emergency Management Agency (FEMA); and

WHEREAS, the Weber Basin Water Conservancy District (WBWCD) service area is subject to various natural hazards;

WHEREAS, the WBWCD is concerned about mitigation potential losses from natural disasters before they occur; and

WHEREAS, the WBWCD Multi-hazard Mitigation Plan identifies potential natural hazards, potential losses, and potential mitigation strategies to limit losses; and

WHEREAS, the WBWCD has updated its local hazard mitigation plan; and

WHEREAS, the WBWCD has determined that it would be in the best interest of this local government to adopt the updated Plan.

THEREFORE, BE IT RESOLVED by the Board of Directors of the Weber Basin Water Conservancy District that the Weber Basin Water Conservancy District Multi-hazard Mitigation Plan, dated March 2023, is adopted.

CERTIFICATE

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 meeting held March 2, 2023.



Scott W. Paxman, General Manager/CEO

(SEAL)

**XII
GENERAL MANAGER’S REPORT**

Gen. Mgr. Paxman said the Utah Water Users Conference is coming up this month. He said please see the envelope before you with the pertinent information. He said there are a couple events planned, including dinner Tuesday evening and possibly Sunday evening. Gen. Mgr. Paxman said whoever can make it is invited to attend, but please let us know if a spouse is coming so our rsvp for dinner is accurate.

Gen. Mgr. Paxman said the Utah Legislative Session has been busy and still is with the District following around 28 water related bills and 25 other District related bills. He said the District has supported 23 bills and opposed 4 bills, and those 4 bills have failed, which is great news. A couple bills have already passed and there will be lots of commotion and action happening today and tomorrow as general session ends tomorrow.

Trustee Summers asked about the Great Salt Lake Trust bill, to which Gen. Mgr. Paxman stated that bill passed last year, and the bill appointing the GSL Commissioner passed this year. He said the shortened irrigation season bill is up for passing which we now support with the proposed amendments.

Gen Mgr. Paxman reported that Senator McKay’s bill for limiting tax collection for water funding was sent to interim study for the next two years. Legal Counsel Williams commended Gen. Mgr. Paxman for his work on this bill and the effort it took to get this bill into study. She stated each year this is a concern and each year the large water districts must fight to protect that method of funding.

Gen Mgr. Paxman said, as discussed Monday, water rights will be harder to acquire and we are diligently watching. Discussion followed regarding the leasing or selling of water rights to the GSL. Legal Counsel Williams said people who think leasing or selling rights to the GSL is easy should be disabused of that notion, that it is in fact difficult. Gen. Mgr. Paxman stated that the GSL Trust want our help facilitating the lease, exchange, and delivery of some Davis Weber Counties Canal Company (DWCCC) water shares, so we will work with them. He stated deliveries may happen out of Willard Bay and the District will hold its DWCCC shares in higher reservoirs. We would not be in charge of the lease/purchase but would rather be a middleman to facilitate delivery.

Legal Counsel Williams stated another bill is the Agricultural Optimization Bill and that will affect water designated for the GSL. She said prior to selling excess water to the GSL, there must be an exchange application through Division of Water Rights to determine quantity and depletion so the quantity is not inflated. She further stated the state should only fund that which is real, not fake water, so this is a good bill. She said this will put some truth into the system and allow for good expenditure of dollars and protects water rights like the District’s.

Gen. Mgr. Paxman said June 22nd will be our bi-annual tour. He said we always get a big turnout, and any board members are welcome to join us.

**XIII
ADJOURNMENT**

There being no further business for discussion, meeting adjourned at 10:44 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 March 2, 2023, 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 Mark D. Anderson
Trustee Jared Andersen
Trustee Kym O. Buttschardt
Trustee Scott K. Jenkins
Trustee Angie Osguthorpe
Trustee Christopher F. Robinson
Trustee Paul C. Summers
Trustee Randy B. Elliott

Excuse:

Trustee Kym O. Buttschardt
Mike Malmborg, Legal Counsel

Scott W. Paxman, General Manager/CEO
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Brittney Bateman, Economics Planning Coordinator
Calysta Bravo, Finance Manager
Suzy Eppens, Contracts Administrator
Greg Pierce, Mgr. of Strategic Initiatives
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Sam Sorensen, Mgr. of Maintenance

Ben Kirk, Bureau of Reclamation
Kent Wilkerson, River Commissioner

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 Weber County, 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. WEBER COUNTY:

- 1) Alex Gvozdikov & Vassily Koshilka 1.0 a.f. NEW West Haven (08-050-0001)

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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 February 16, 2023, 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/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 M. Andersen, seconded by Trustee Robinson and passed unanimously, approving petitions for water contracts in Weber County and adopting the foregoing resolution.

Approved and adopted March 2, 2023.


Marlin K. Jensen, Chairman

ATTEST:



Scott W. Paxman, General Manager/ CEO

(SEAL)