

**Bear River Water Conservancy District
General Manager's Report
January 18, 2024**

By Carl W. Mackley, P.E.

Water Conservancy District

We have some new board members or trustees of the Bear River Water Conservancy District. Congratulations to Riggie Holmgren and Mayor Lesley Kendrick! We will also miss our veteran members; Dave Forsgren and Charles Holmgren! I'm grateful for my association with all of the trustees. Since we have new members and we still have new members from the last couple of years, I thought I would provide some additional information regarding what a water conservancy district is and what that means. I think this information will be news to some of us and a good reminder to others.

A water conservancy district is a special case of Special Districts and are regulated under the Utah Water Conservancy District Act, as well as Special Districts statutes. I think it is worth sharing the following from the Conservancy District Act:

17B-2a-1002 Legislative intent -- Purpose of water conservancy districts.

- (1) It is the intent of the Legislature and the policy of the state to:
 - (a) provide for the conservation and development of the water and land resources of the state;
 - (b) provide for the greatest beneficial use of water within the state;
 - (c) control and make use of all unappropriated waters in the state and to apply those waters to direct and supplemental beneficial uses including domestic, manufacturing, irrigation, and power;
 - (d) obtain from water in the state the highest duty for domestic uses and irrigation of lands in the state within the terms of applicable interstate compacts and other law;
 - (e) cooperate with the United States and its agencies under federal reclamation or other laws and to construct, finance, operate, and maintain works in the state; and
 - (f) promote the greater prosperity and general welfare of the people of the state by encouraging the organization of water conservancy districts.
- (2) The creation and operation of water conservancy districts are a public use to help accomplish the intent and policy stated in Subsection (1) and will:
 - (a) be essentially for the benefit and advantage of the people of the state;
 - (b) indirectly benefit all industries of the state;
 - (c) indirectly benefit the state by increasing the value of taxable property in the state;
 - (d) directly benefit municipalities by providing adequate supplies of water for domestic use;
 - (e) directly benefit lands to be irrigated or drained;
 - (f) directly benefit lands now under irrigation by stabilizing the flow of water in streams and by increasing flow and return flow of water to those streams; and
 - (g) promote the comfort, safety, and welfare of the people of the state.

Enacted by Chapter 329, 2007 General Session

In addition, our Mission Statement states: “The Bear River Water Conservancy District created September 8, 1988 by court decree, under the guidelines of the Utah Water Conservancy Act, will endeavor to:

- Conserve and protect water and water rights.
- Develop and provide water for municipal, industrial and agricultural use.
- Use these resources to best serve the residents of Box Elder County.

I look forward to working with the new board this year as we strive to fulfill the purposes of our existence and seek to best serve and support the residents of Box Elder County

Expectations for 2024

Projects and Funding

There are a number of projects that we will be working on during 2024. I anticipate spending \$6.8 million this year in new infrastructure. We are setup to do so and need to spend the money this year or we may lose some of it. Below is the list of funding by source, followed by projects, a description, and

Funding

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|---------|--------------------|---|
| • USBR | \$1,738,000 | (U.S. Bureau of Reclamation Drought Resiliency Funding) |
| • SRF | \$2,840,000 | (State Revolving Fund Loan/Bond through Drinking Water Board) |
| • GOEO | \$1,000,000 | (Governor’s Office of Economic Opportunity) |
| • ARPA | \$ 824,000 | (American Rescue Plan Act remaining funds from B.E. Co.) |
| • DSA | \$ 400,000 | (Depreciation Savings Account Budget Item for 2024) |
| • TOTAL | \$6,802,000 | (Sum Total of Above) |

Coldwater Canyon Well (\$1,938,000)

In late spring or early summer, we will drill a well high on the bench above Honeyville at the mouth of Coldwater Canyon. We anticipate a 12-inch to 14-inch well, 900 feet deep that will produce over 1000 gallons per minute (gpm). This well is intended to be used in the near future as a replacement source of water for our Collinston Water System. It could also be used as a source of water for several communities in the area.

Collinston Well (\$50,000)

We will be focusing on our monitoring program at this time. We will install several monitoring devices with the goal of having them installed and online before May 1st.

Harper Ward Well and Tank (\$3,090,000)

We are currently drilling a 12-inch well to 440 feet deep with a cable tool rig. Water Well Services is drilling the well. They are about 200 feet deep at this time. It will be slow drilling. We have designed the tank to hold 520,000 gallons and are designing the pumpstation, planning for power installation and the pipeline from the tank down to the system service line. This should all be constructed this year.

Flat Canyon Well Pumpstation and Pipeline (\$624,000)

This is a leftover project from 2023 that is nearly complete. A 6-inch HDPE pipeline has been constructed from the Flat Canyon Well in Deweyville, to the start of our Collinston Water System immediately north of the Deweyville Cemetery. A pump station has been constructed and a pump installed. Power has been installed. We are waiting on just a few final checklist items to complete this project. This will provide our Collinston System with 125 to 150 gpm.

Hammons Well (\$250,000)

We are working with Ukon Water Company as well as Riverside-North Garland Water Company to investigate the feasibility of constructing a well on the Hammons Property in Riverside. I am working on a memorandum

of understanding (MOU) that states that our involvement over the next three years will be limited to purchasing some land for the project, as well as making significant planning and engineering contributions.

Beaver Dam Water System (\$250,000)

We will be replacing the original 2-inch water line in Sleepy Hollow at Earley Park, with a 4-inch water line. It will extend approximately 2300 feet from the existing distribution box, down to the treatment plant. This should provide additional capacity for the Sleepy Hollow Springs, as well as bring that water closer to the main stem of Willow Creek, which would benefit those with water rights on that stream below us.

Bothwell Water System (\$600,000)

We are working with contractors and the Summerland Ranches Developers to install about 9100 feet of 12-inch water line loop along 10800 West from about 13200 North to 12800 North, then along 12800 North from 10800 West, east to the Frontage Road. This will add an additional 400 gpm capacity to our Bothwell System pipelines.

County Water Master Plan

BRWCD is partnering with Box Elder County to complete a county water master plan (CWMP). The CWMP is overseen by the county and a steering committee represented by a group of individuals that attended the Growing Water Smart Workshop last summer. It is being funded by and through BRWCD via a combination of District funds, as well as grant money. The purpose of the CWMP is to comply with state laws, as well as to divide the county into regions for localized planning purposes. The steering committee is currently evaluating statements of qualification from interested consultants. A successful consultant or group of consultants will be chosen by the end of the month and the plan will be underway in February. A final CWMP is expected for the end of November, 2025.

2018 Water Right Applications to Appropriate

From 2012 to 2018, the Bear River Valley in Box Elder County, known as Water Right Area 29, was closed to new applications to appropriate groundwater for anything beyond a small amount of water for a single-family in unincorporated Box Elder County. Certain senior water rights holders, including the Bear River Club Company, a waterfowl hunting club, and the USFWS Bird Refuge were protesting every groundwater application, and pressuring the State Engineer to close Area 29 to new appropriations of groundwater. The State Engineer did put a moratorium on applications to appropriate during the time indicated, while studies were conducted to determine if there was water available for appropriation. Ultimately, the State Engineer concluded that 10,000 acre-feet of groundwater was available for appropriation.

Correspondingly, BRWCD filed five applications to appropriate a total of 3500 acre-feet of water for future use within Box Elder County. One of these applications totaling 1000 acre-feet Northwest of Plymouth was rejected, along with several other applications in that area. Four applications totaling 2500 acre-feet remain without a decision on them. These applications were protested by local individuals, as well as some senior water right holders, including the two entities indicated above. BRWCD has been working with the Bear River Club Company and USFWS to create a mitigation agreement that would satisfy the senior right holders concerns and allow us to mitigate for a reasonable portion of the depletion of developing these rights, in exchange for them withdrawing their water right protests.

The BRWCD Board of Trustees (board) approved mitigation procedures included in the tentative agreement last fall. I have submitted a first draft copy of the agreement to the board for your review. We will review it in a closed session of the upcoming board meeting. We are also working with legal counsel to represent our interests here. As new sources of water seem to grow more scarce, we will need to have these applications, and other sources, to meet the future needs of the county.