



# Board Meeting Minutes

Wednesday January 24, 2024 @6:00 P.M.  
102 West Forest Street  
Brigham City, UT 84302

## In Attendance:

DJ Bott, Chairman  
Lyle Holmgren, Financial Chairman  
Lesley Kendrick  
Joseph Summers  
Jay Capener  
Mark Larson

## Board Members

Richard Day, Vice-Chairman  
Riggin Holmgren  
Brodie Calder  
Tim Munns  
Boyd Bingham

## Staff:

General Manager, Carl Mackley  
Office Manager, Jamie Williams

Assistant General Manager, Chance Baxter

### **Vice Chairman DJ Bott - Welcome**

Vice-Chairman DJ Bott welcomed all in attendance and called the meeting to order at 6:00 PM.

### **Invocation & Pledge of Allegiance**

Offered by Board Member Boyd Bingham.

### **Declaration of Conflicts of Interest**

Board Member Lyle Holmgren stated that he had a potential conflict of interest regarding the approval of the District's agreement with Tremonton City.

### **Adoption of the Agenda**

Board Member Tim Munns made a motion to approve the agenda. The motion was seconded by Board Member Mark Larson; all members voted aye, motion passed.

### **Approval of Minutes**

#### **December 13, 2023, Meeting**

Board Member Mark Larson made a motion to approve the minutes for December 13, 2023 Board Meeting. The motion was seconded by Board Member Richard Day; all members voted aye, motion passed.

### **Swearing in of New Trustees – Office Manager Jamie Williams**

New Board Members: Riggin Holmgren and Lesley Kendrick were sworn-in by Office Manager Jamie Williams.

### **Recognition of Service of Former Trustees – Vice Chairman DJ Bott**

Vice-Chairman DJ Bott Recognized David Forsgren, former Chairman, for his many years of service beginning in 1988 and Charles Holmgren, former Financial Chairman, for his many years of service beginning in 2003.

<DRAFT>

**Election of Officers – Vice Chairman DJ Bott**

Vice-Chairman DJ Bott opened nominations for the office of Chairman. Board Member Brodie Calder made a motion to nominate DJ Bott as Chairman. Board Member Mark Larson made a motion to suspend the rules and appoint DJ Bott as Chairman by acclamation. The motion was seconded by Jay Capener; all members voted aye; motion passed.

Chairman DJ Bott opened nominations for the office of Vice-Chairman. Board Member Lyle Holmgren made a motion to nominate Jay Capener as Vice-Chairman and Board Member Jay Capener made a motion to nominate Richard Day as Vice-Chairman. Board Member Jay Capener stated he would not like to serve as Vice-Chairman if Richard Day was willing. Board Member Lyle Holmgren withdrew his motion to nominate Jay Capener as Vice-Chairman. Board Member Tim Munns made a motion to suspend the rules and appoint Richard Day as Vice-Chairman by acclamation; all members voted aye; motion passed.

Chairman DJ Bott opened nominations for the office of Financial Chairman. Board Member Brodie Calder made a motion to nominate Lyle Holmgren as Financial Chairman. The motion was seconded by Board Member Riffin Holmgren. Board Member Jay Capener made a motion to suspend the rules and appoint Lyle Holmgren as Financial Chairman; all members voted aye; motion passed.

**Retail Rate Hearing – Chairman DJ Bott**

Chairman DJ Bott turned the time over to General Manager Carl Mackley to present information on the proposed retail rates. General Manager Mackley stated that in 2023 BRWCD completed a financial study. One of the recommendations from that study was to standardize the retail rates and tiers across BRWCD’s five water systems. General Manager Mackley explained that standardizing the rates and tiers across all five systems will help the District in its conservation efforts. Mr. Mackley further explained that the purpose of the updated rate is not to increase revenue. However, if customer’s water use patterns were to stay the same then the overall average revenue increase would be 16.5%. Mr. Mackley reviewed the current rates and tiers for the District’s five systems and the newly proposed rates and tiers.

**CURRENT RATES AND TIERS**

**Water Rates  
 Revenue Generation**

Current	Base Rate	Base Rate Up To	Tier 1		Tier 2		Tier 3		Tier 4		Tier 5		
Beaver Dam	\$ 40.00	11,000	\$ 1.00 11,001	22,000	\$ 1.25 22,001	33,000	\$ 1.50 33,001	44,000	\$ 2.00 44,001	1,000,000			Indoor/Outdoor
Bothwell	\$ 29.00	7,000	\$ 1.00 7,001	14,000	\$ 1.25 14,001	28,000	\$ 1.50 28,001	56,000	\$ 2.00 56,001	1,000,000			Indoor/Outdoor
Collinston	\$ 40.00	7,000	\$ 1.00 7,001	14,000	\$ 1.25 14,001	28,000	\$ 1.50 28,001	56,000	\$ 2.00 56,001	1,000,000			Indoor/Outdoor
Harper Ward	\$ 49.00	10,000	\$ 2.00 10,001	100,000	\$ 3.00 100,001	200,000	\$ 5.00 200,001	400,000	\$ 7.00 400,001	700,000	\$ 10.00 700,001	1,000,000	Indoor/Outdoor
South Willard	\$ 35.00	7,000	\$ 2.00 7,001	1,000,000									Indoor

Revenue	Base Rate	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Total	Ave. Monthly Fee
Beaver Dam	\$ 16,800	\$ 600	\$ 336	\$ 188	\$ 248	\$ -	\$ 18,172	\$ 43.27
Bothwell	21,228	2,088	3,067	4,196	5,450	-	\$ 36,029	\$ 49.22
Collinston	37,440	1,375	2,179	2,417	1,724	-	\$ 45,134	\$ 48.22
Harper Ward	62,328	9,814	2,814	415	-	-	\$ 75,371	\$ 59.25
South Willard	1,680	61	-	-	-	-	\$ 1,741	\$ 36.27
<b>Total</b>	<b>\$ 139,476</b>	<b>\$ 13,938</b>	<b>\$ 8,396</b>	<b>\$ 7,215</b>	<b>\$ 7,423</b>	<b>\$ -</b>	<b>\$ 176,447</b>	<b>\$ 49.84</b>

**Recommendation #2: Standardize Retail Rates**

**NEWLY PROPOSED RATES AND TIERS**

**Water Rates  
 Revenue Generation**

Current	Base Rate	Base Rate Up To	Tier 1		Tier 2		Tier 3		Tier 4		Tier 5		
Beaver Dam	\$ 40.00	15,000	\$ 2.00 15,001	30,000	\$ 4.00 30,001	60,000	\$ 7.00 60,001	100,000	\$ 10.00 100,001	250,000	250,001	1,000,000	Indoor/Outdoor
Bothwell	\$ 40.00	15,000	\$ 2.00 15,001	30,000	\$ 4.00 30,001	60,000	\$ 7.00 60,001	100,000	\$ 10.00 100,001	250,000	250,001	1,000,000	Indoor/Outdoor
Collinston	\$ 40.00	15,000	\$ 2.00 15,001	30,000	\$ 4.00 30,001	60,000	\$ 7.00 60,001	100,000	\$ 10.00 100,001	250,000	250,001	1,000,000	Indoor/Outdoor
Harper Ward	\$ 40.00	15,000	\$ 2.00 15,001	30,000	\$ 4.00 30,001	60,000	\$ 7.00 60,001	100,000	\$ 10.00 100,001	250,000	250,001	1,000,000	Indoor/Outdoor
South Willard	\$ 40.00	15,000	\$ 2.00 15,001	1,000,000									Indoor

Revenue	Base Rate	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Total	Proposed Ave Monthly Fee	Current Ave Monthly Fee	Difference
Beaver Dam	\$16,800	\$ 524	\$1,064	\$ 190	\$ -	\$ -	\$ 18,578	\$ 44.23	\$43.27	\$ 0.97
Bothwell	29,280	2,496	11,212	8,585	4,536	-	\$ 56,109	\$ 76.65	\$49.22	\$ 27.43
Collinston	37,440	1,766	6,224	2,475	1,687	-	\$ 49,592	\$ 52.98	\$48.22	\$ 4.76
Harper Ward	50,880	3,372	12,620	7,590	4,795	40	\$ 79,298	\$ 62.34	\$59.25	\$ 3.09
South Willard	1,920	-	-	-	-	-	\$ 1,920	\$ 40.00	\$36.27	\$ 3.73
<b>Total</b>	<b>\$136,320</b>	<b>\$ 8,158</b>	<b>\$31,120</b>	<b>\$ 18,841</b>	<b>\$ 11,019</b>	<b>\$ 40</b>	<b>\$ 205,497</b>			

**Recommendation #2: Standardize Retail Rates– 16.5% Revenue Increase**

Chairman DJ Bott opened the meeting by asking General Manager Mackley questions about the proposed retail rates. Financial Chairman Lyle Holmgren asked if there was a Tier 5 rate. General Manager Mackley clarified that the Tier 5 Rate is \$10/thousand, same as Tier 4. Board Member Joe Summers asked why South Willard only goes to Tier 1. Chairman DJ Bott explained that this is because the South Willard system is indoor use only. Board Member Brodie Calder asked General Manager Mackley if he identified how much water per user is anticipated. General Manager Mackley explained that the level of service across the 5 systems is different, so there isn't an estimated average amount per user. Chairman DJ Bott asked if SCADA was on all the meters. Mr. Mackley stated that the meters are not real time and are radio read once a month.

Board Member Mark Larson made a motion to move into a public hearing for retail water rates. The motion was seconded Vice-Chairman Richard Day; all members voted aye; motion passed.

**Kelly Lemon, Collinston:**

I am not a customer which leads to my point. Senator Dan McKay from I think he's from either West Valley or South Jordan. He has discussed the tax, the cost of water in Utah quite a bit. He's had some motions I think he is in the Senate, the state Senate. I am not going to get the numbers exactly right but the gist of what I am going to say I think it is. So, Utah is the second driest state in the nation, Nevada being the driest. We have the lowest, Nevada has one. There is no other surrounding state close to us that has over an 8% of their district's funding comes from state tax. Not from state tax but from property tax. And he has had some motions and is trying to get some traction. I think he's got a little bit that will probably come up. I don't think it's going to be in the legislature this year. Where I'm coming from and with respect to all my neighbors that are on the District's water, I believe that the District water is underpriced. Those of us that are private wells, we fund our own with electricity. We run the risk of all the infrastructure and all that, yet we pay into the property tax that supports this District. I'm not necessarily complaining about that other than last year it was raised. It could be raised again. And so, we need to be more like. I think I looked at the numbers on our District here and as far as and you guys have the numbers, but I think it's like, I could be wrong, but I think it's like 30-40% of the funding for the District comes from property tax. Yet a lot of us residents are not customers of the District, yet we are supporting it. And I think we can support it to a certain extent but at the same time I would like to see

rates go up a little bit just because those of us that are supporting it, we need to make it more fair. That's my comments.

**Judy Leonhardt, Collinston:**

I guess um, the District hasn't put in any elevator or anything here thus far so it has made it difficult for me to be to meetings. Okay, basically I am representing multiple people as customers. My name is Judy Leonhardt. I am representing Paul and Judy Leonhardt. Also representing Rodney and Lori Clark, customers. So, I would like to basically start off that myself Judy Leonhardt and my Cousin Rodney Clark are great granddaughter and great grandson of John M. Saunders. In the late 1890s and early 1900s he was a resident there in Collinston. He was approached by Tremonton/Garland communities to sell one of his major water rights which was down by the Bear River. So, we are major contributors to this county, particularly Collinston contributions and water contributed to Tremonton and Garland communities. As for Paul and Judy, we have one residential property tax being paid in North Garland. We have one residential property tax is being paid in Collinston and our family homestead home. I have four Bear River Water Conservancy District impact fees that have been paid from the very beginning which was the major contribution to the fire flow in the area. Two Domestic water shares, one as a dry tap which is also being paid as monthly fees and three property taxes yearly in Collinston area as contributions to Bear River Water Conservancy District. My cousin Rodney Clark has four Bear River Water Conservancy District impact fees that he has paid toward the fire flow to begin with and then four dry taps per month fees.

Judy asked the following questions:

I missed the first part, so I don't know what your fee schedule, because I can't read it from here, is on the monthly fees. What you are proposing? I live in Collinston which is \$40.00 a month. Okay, that's going to stay at \$40.00. The other question then that I was having which probably was answered earlier are any of the impact fees then going to then increase just for new construction or are you going to go back and try to retro collect for your fees? So, impact fees they've gone if you do your proposal for universal fees then have the impact fees gone up? Oh, just the monthly rates and for Collinston area it will stay the same? The base volume a little bit. What did they go up to? (other tiered rates) Oh, okay because that was one of the issues that it was a fairly low base.

Yeah because Collinston area in particular, well other areas in the county too they have no public irrigation water and so it was very difficult to try to use any of the you know culinary water for trying to water outside. Costs became prohibitive. Okay so hopefully this will be helpful then. Okay over the 15,000 then it would go into the next bracket which is up to 30,000 so if you are using the water in there then it's two dollars more per thousand.

Okay I also wanted to bring up an issue with tomorrow's meeting will be irrigation. Bear River Canal irrigation meeting and I know we have representatives on irrigation here tonight. Okay other than the issue of conservation of water with users of the canal irrigation water. So, it related because there was no public irrigation water in Collinston area but there is through a lot of areas and the users are being very wasteful with the water, so I wanted to make that point here and there.

**Tony Richards, Beaver Dam**

As far as rates go, I am fine with this. My one comment, I think there should be maybe a little bit more transparency in this process or this information should've been out before the public hearing to allow us to look over it and digest it and have more educated responses when this time comes. Just having access to now I think is a little bit short sighted. When did I get my notice on this? The only notice I got was through the public website when you guys had your meeting and said it was going to have a public hearing. I'm checking my water bill. This table came with the water bill? That's what I'm saying this kind of information if you could have that out say 24 or 48 hours beforehand would be nice. It might be worth even considering starting an email contact list with us customers that you could send this kind of information to us. The other problem Carl is that it is hard for me to read that table you know that is why

I had to move. So, you know it would be good to digest that information. That's just my comment. The chart, this chart. We'll I've not been always able to be here. That's all I have thank you.

**Stan Simmons, Beaver Dam**

I was going to come and complain that I do water cattle especially in the winter. Because they're locked in the corral, and I have to leave the trough running all the time or it freezes over then I don't have any water. But I was going to complain yet you gave my neighbor free water for her horses how come I have to pay for my cattle, but all well. But if you're going to raise the tier up to 15,000 that is going to be a lot more livable, I appreciate that. I have a very small stream running so my pipe won't freeze.

**Dave Yates, Harper Ward**

The water rights here are so minimal compared to other places that we ought to be grateful for that. I'm one that probably in the summer will have to watch those tiers because I have a large lawn. I've looked at the list. There are others that are spending a lot on water, it's still wise even if I have to pay more. It just makes me more water conscious and be careful what I do and if I need to cut back on the lawn I need to cut back. Water is pretty important here. So, we appreciate that and hopefully others can get behind it and support a little bit on that.

Board Member Tim Munns made a motion to close the public hearing. Board Member Boyd Bingham seconded the motion; all members voted aye, motion passed.

**Board Discussion of Protesting Water Right Applications – Chairman DJ Bott**

Chairman DJ Bott stated that with the Governor's action on our basin, it prohibits large developments from drilling, yet it allows for single families to drill. Chairman Bott further stated that he thinks the District should protest single family wells as it will impact our aquifers and the District should consider creating some type of policy regarding single family well applications. It was mentioned that there is an ordinance that single family wells must be built to the nearest municipality standards because it is inevitable through growth that the system will at some point become part of that municipality. General Manager Carl Mackley stated that to his knowledge any water right application to appropriate that violates a county ordinance can not be approved by the division of water rights, so it would be beneficial if Box Elder County created an ordinance to regulate how that is done. General Manager Mackley further explained that the Division of Water Rights also won't approve an application that is within a municipal boundary.

The board members brought up several different points including water right applications filed inside a municipality's future annexation, small water right applications for irrigating lawns, and mitigation. General Manager Carl Mackley stated that he personally believes that there is a place for single family wells, especially in those areas where there isn't any other option. Mackley further stated that if the District is going to create a policy, then we need to be pretty specific. Board Member Brodie Calder mentioned that there could be some potential property rights issues with creating this policy and that there are going to be expenses if we need to hire an attorney to attend hearings.

Chairman DJ Bott explained that the intent of having this item on the agenda wasn't to solve the problem but to start the conversation. Chairman Bott suggested to the board and staff to schedule a work session separate from a board meeting to flush this out and decided if there's going to be a policy or not.

**Board Approval of Updated Agreement with Tremonton City – Vice Chairman DJ Bott**

Tremonton Mayor Lyle Holmgren explained that BRWCD and Tremonton city have a close working relationship with each other and meet on a regular basis. The District wheels water through Tremonton City's lines and Tremonton City needs additional water supply from BRWCD from time to time. Mayor Holmgren stated that both he and Tremonton Public Works Director, Paul Fulgham, went over the contract and approve it. General Manager Carl Mackley further explained that a typical wholesale

agreement from BRWCD is a take or pay agreement. What is different about what we do with Tremonton City is we exchange water with each other. Tremonton City has a take or pay agreement for Block 1 water and Block 2 water is the exchange amount. General Manager Mackley further stated that this contract is beneficial for both parties and gives the District the flexibility to operate in the way it needs to.

Board Member Brodie Calder made a motion to approve the updated agreement with Tremonton City. The motion was seconded by Board Member Boyd Bingham; all members voted aye, motion passed. Board Member Lyle Holmgren abstained from voting.

### **General Manager's Report – Carl Mackley**

#### **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.

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**

- |                |                    |   |
|----------------|--------------------|---|
| • 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)           |
| • <b>TOTAL</b> | <b>\$6,802,000</b> | <b>(Sum Total of Above)</b>                                   |

#### **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 1<sup>st</sup>.

#### **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.

### **Assistant General Manager's Report – Chance Baxter**

#### **Systems Operations & Maintenance.**

BRWCD's distribution systems are operating as designed. We currently have no ongoing issues that need attention in any of the district's 6 systems.

#### **BRWCD Future and ongoing projects:**

Below is an update to start the year 2024. This report may act as a refresher for our existing board members as well as informing our new members.

#### **Flat Canyon Well and Pipeline:**

This project is progressing extremely slowly. Excavation is 100% completed. All Valves, vaults and piping is completed. The pipeline has been disinfected, Flushed, and Pressure Tested. Water Well Services has installed a 10 hp pump that will produce roughly 150 gpm. Golden spike electric has begun the electric work in the well vault and the south booster station. We are still waiting for a few back ordered electric and SCADA products which should arrive by the end of February. We have hopes to commission the project by April or May.

#### **Summerland Ranches Phase 1, 2, and 3**

Summerland Ranches Phase 1 is completed. We received the operation permit from the division of drinking water this morning. The developer still needs to install the secondary water lines and services. This will need to be done before BRWCD provides any culinary water to phase 1 as per their development agreement.

Summerland Ranches Phase 2 and 3 are still moving forward. BRWCD has required that the developers extend a 12-inch water main around phase 3 before they begin working on phase 2. Once the developer completes their portion of the line extension, BRWCD will pick up the work and continue running a 12-inch main east to the frontage road. This will complete **Segment A** listed in our future projects within the Bothwell pocket.

I've been working with Hansen and Associates on the engineering. This project will consist of +-8700 Ft of 12-inch water main. We have a meeting tomorrow to discuss and finalize the drawings. We will put the project out to bid as one large project. The Development will pay for its portion of the project. BRWCD will pay for the other portion. Our plan is to bid the project as one large project. We hope to attract more competition from excavators in the surrounding areas.

#### **Harper Ward Well, Tank, and Pipeline:**

The drilling of harper ward well # 2 is proceeding slow but steady. Water well services is around 200 ft deep and progressing. The Rock formations in harper ward are difficult to drill through due to the material falling in on itself. The drillers must advance casing at the same time as drilling to hold the hole open. As of last week, the engineering on the well house tank and pipeline are around 50% completed. We hope to bid out the rest of this work sometime around march or April.

#### **South Willard well #2.**

This project is currently in the early stages of engineering and design. The district currently owns both property and water rights in South Willard. We are proceeding with developing those rights.

#### **Collinston Well & Collinston Monitoring**

The drilling of the Collinston well has been placed on hold for the time being. The district has entered into a monitoring agreement with the stakeholders of Pack and Barnard Springs. I met with a few of the stakeholders last week. I believe together we've developed a sound plan to accomplish the monitoring. I've started the process of acquiring the equipment to perform this task. Once all the equipment is installed, we begin a one-year monitoring per our agreement with the stakeholders. I am working towards beginning this program by April 1<sup>st</sup>, 2024. We Also operate 5 well monitoring devices collecting Data from private wells surrounding the proposed Collinston well. We will continue to monitor these for the foreseeable future.

#### **Upper Sleepy Hollow Springs and Pipeline.**

Carl and I have begun discussions with the LDS church regarding the upper Sleepy Hollow Springs. The district owns several springs in and around the area consisting of early park in beaver dam. Also, we have a small pipeline that carries those spring collected waters to our treatment building down the canyon. We are planning to replace this small pipeline with a larger 4-inch HDPE pipeline this fall. The current pipeline is original to the beaver dam system and is very restricting. Most of the year the pipeline is too small to collect the entire flow of the upper sleepy hollow spring. This project will consist of roughly 2200 feet of welded HDPE pipe.

**BRWCD Wholesale Customers and usage reports.**

Currently only two of our wholesale customers are using water.

1. Ukon Water is using about 100 gpm at the UKON Blending Station. Our current blending ratio with UKON is 1 to 1.
2. Thatcher Penrose has been experiencing several issues over the last few months. We are currently providing them with 200 Gpm Out of our Bothwell system. The demand for the Bothwell system is very low this time of year. We are happy to provide Thatcher Penrose with anything they need.

**New connections Installed.**

No new Connections have been installed since our last meeting.

**Trustee Reports – Board Members**

**Boyd Bingham-** Stated that he appreciated the information binders and suggested the board regularly go through some bylaws at each board meeting.

**Tim Munns –** Grouse Creek is still struggling with the chlorination system the state required them to put in. They are still getting by, but they may approach us about digging another well in the future. Howell is getting along fine, and their water system is working. They thank you for the help they've got in the past. We've had a 1.25 rainfall equivalent in snow with these storms over the past two weeks.

**Richard Day-** Willard City annexed another island down on the south end, so we are going to be seeing increased needs for water. Willard City may want to wholesale water from us. Up behind Pineview there is about 3-4ft. of snow is all so we are still running quite a way behind last year but better than we were in previous years.

**Joseph Summers-** No Report

**Mark Larson-** Trying to reach out to the small water systems to remind them of the upcoming deadline for the lead and copper and to ask if there is anything that they need our help with. I am having a hard time getting responses back from people.

**Brodie Calder-** Ukon had their annual chairholder meeting this month. The only major change was that their water prices went up \$2.50 per month due to the district raising the wholesale water fees. Everything else stayed the same Riverside/North Garland and Ukon are \$30,000 per share and Riverside is currently on hold with any new connections because they don't have water available. Ukon does have water available, up to 74 taps.

**Lyle Holmgren-** Elwood is discussing starting their secondary water system. Tremonton City is going to start another section of their secondary water system shortly, which will open another 450-475 homes on the south end of town. Other than that, things are going smoothly.

**Jay Capener-** The Canal Company is continuing with all our projects. We are spending a lot of money and getting a lot of grants. Bear Lake is at 113% of normal snowpack so good signs there are Bear Lake.

**Riggin Holmgren-** No Report

**Lesley Kendrick-** No Report

**DJ Bott-** We met with the irrigation companies that are in Brigham. There is a total of 4 of them but only 2 are active. We met with them as a city because our goal is to someday have secondary water within our municipality which would include the irrigation companies shares, rights and participation. Jones and Associates is doing a study of the irrigation system and mapping it out. Hopefully when the irrigation companies have their next rate increase it will be more of a true rate based on infrastructure repairs which have never been done and ongoing maintenance which is rarely done. The hope is that someday we can just integrate the irrigation companies into the Brigham City System and have a secondary system. Brigham City has been monitoring the snow in our drainage basin in Mantua. Our reservoir is currently within 1.13" of spill.

### **Closed Meeting**

Financial Chairman Lyle Holmgren made a motion to move into a closed session. The motion was seconded by Board member Mark Larson. Roll Call: Board Member Leslie Kendrick, aye; Board Member Riggin Holmgren, aye; Board Member Jay Capener, aye; Financial Chairman Lyle Holmgren, aye; Board Member Brodie Calder, aye; Board Member Mark Larson, aye; Board Member Joe Summers, aye; Vice-Chairman Richard Day, aye; Board Member Tim Munns, aye; Board Member Boyd Bingham, aye.

### **Adjournment**

Board Member Boyd Bingham made a motion to adjourn the meeting. The motion was seconded by Financial Chairman Lyle Holmgren; all members voted aye, meeting adjourned at 8:47 PM.