



Board Meeting Minutes

Wednesday June 25, 2025 @ 7:00 P.M.
102 West Forest Street
Brigham City, UT 84302

In Attendance: Jay Capener, Chairman
Lesley Kendrick, Vice-Chairman
Lyle Holmgren, Financial Chair
DJ Bott
Brodie Calder (Electronic)

Kelly Lemmon
Riggin Holmgren
Joseph Summers
Mike Braegger
Boyd Bingham

Excused: Tim Munns

Staff: Chance Baxter, General Manager
Jamie Williams, Office Manager

Other: Derek Oyler, Brigham City Manager
Buster Marble, Chanshare Select

WELCOME

Chairman Jay Capener called the meeting to order at 7:00 pm

INVOCATION & PLEDGE OF ALLEGIANCE

Offered by Trustee Lesley Kendrick

DECLARATION OF CONFLICTS OF INTEREST

No conflicts declared

CONSENT AGENDA

A- Adoption of Agenda

B- Approval of Minutes – May 28, 2025

Financial Chairman Lyle Holmgren made a motion to adopt items A-B on the consent agenda, motion was seconded by Trustee Riggin Holmgren; all members vote aye, motion passed.

APPROVAL OF FINANCIAL STATEMENTS – MAY 2025

Financial Chairman Lyle Holmgren reported to the board that he reviewed the financial statements, and they appear to be in order. Trustee DJ Bott made a motion to approve the financial statements as presented, motion was seconded by Trustee Joe Summers; all members vote aye, motion passed.

PRESENTATION AND DISCUSSION – BRIGHAM CITY CORPORATION

Brigham City, represented by City Manager Derek Oyler, presented a detailed case for withdrawing from the Bear River Water Conservancy District, citing lack of direct benefit despite significant tax contributions over decades. The discussion included historical context, financial breakdowns, mission statement review, and philosophical debate about the District's purpose and benefit distribution.

Oyler highlighted that despite paying 25-28% of the District's taxes, Brigham City has not received any significant benefits from the District. He pointed out that the city has spent over \$51 million on its own water projects, while the District has only contributed \$5,000 to a secondary water study in 2003.

The discussion centered around the potential consequences of Brigham City's withdrawal and the District's ability to provide water to its remaining customers. The process for boundary adjustment and withdrawal was discussed, with legal and financial implications noted.

Oyler proposed that the District consider selling its 477 acres of irrigated farm ground in Bothwell, which could generate more revenue than the total taxes paid by Brigham City residents since the District's inception. He also questioned the District's ownership of the farm ground, suggesting it does not align with the District's mission to provide water and protect water rights.

Chance Baxter, the General Manager of the Bear River Water Conservancy District, explained the District's reasoning for purchasing the farm. The District bought the farm to hold in reserve until the demand for water was there, and it was considered a good buy at \$1.2 million. The farm is now estimated to be worth around \$8 million. The District has been leasing the farm to generate income, but the farm's value lies in its water rights, which are valuable to the District. The District strategically purchased the farm to aid with the Bear River project, and it is a key part of the District's water management plan.

When asked by Oyler why Brigham City would want to stay in the Bear River Water Conservancy District, Trustee Boyd Bingham made a comment on beneficial use. Bingham explained that beneficial use is a concept that refers to the use of water for a specific purpose, such as irrigation, municipal supply, or industrial use. He stated that if Brigham City is not using its water and cannot prove beneficial use, the state engineer may determine that the water is not being used beneficially and therefore, the state may take control of the water. Bingham noted that the Conservancy District can aid in Brigham City's argument by providing a plan for using the water. Bingham mentioned that Brigham City's connection to the Conservancy District by pipeline is important in allowing the city to argue that it has a plan to use the water.

During the discussion, concerns were raised about the potential domino effect if Brigham City leaves the Bear River Water Conservancy District. Some board members expressed worry that if Brigham City is allowed to leave, other municipalities may also seek to withdraw from the District, potentially threatening the District's viability. Board members talked about the importance of the District and its purpose.

General Manager Chance Baxter stated that the District's existence is tied to the state's authorization of 60,000 acre-feet of water from the Bear River, and that Brigham City's participation in the District is crucial to the District's ability to provide water to its customers.

After a lengthy discussion, the Board and Brigham City representatives decided to form a subcommittee in the July 23, 2025 board meeting to explore potential solutions to continue working together. This subcommittee will include representatives from the District and Brigham City and will aim to find a mutually beneficial agreement. Brigham City plans to agenda a resolution at the July 17th City Council meeting to pause their initial request to withdraw from the District, allowing for future negotiation with the District. The Bear River Water Conservancy District agreed to review the matter with the District's attorney to confirm whether putting the motion on pause was a viable option, and report back to Brigham City.

The final consensus of the Board was that the District needs to exist, and negotiations going forward is a crucial first step in understanding the needs of Brigham City and defining the purpose and future direction of the District.

BEAR RIVER WATER CONSERVANCY DISTRICT - BRIGHAM CITY

THE BEAR RIVER WATER CONSERVANCY DISTRICT
WAS ESTABLISHED ON SEPTEMBER 8, 1988
BEAR RIVER DEVELOPMENT PROJECT

1.2.1 Mission Statement. The Bear River Water Conservancy District will endeavor to:

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

1.2.3 Public Benefit. The District's efforts will be for the public benefit and advantage of the people residing within its boundaries, thus promoting the general welfare and prosperity of residents pursuant to UCA 17B-2a-1002.

*Bear River Water Conservancy District
 Board of Trustees Meeting, June 25, 2025
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Year	BRWCD - Value	BRWCD Tax Rate	BRWCD Property Tax	Brigham City Value	Brigham City Tax Rate	Brigham City Property Tax	BC Share of BRWCD Property Tax	BC Water Projects
1996	\$ 1,594,161,638	0.000187 \$	298,146	\$ 476,166,120	0.001374 \$	654,252	\$ 89,043	29.9%
1997	\$ 1,700,332,677	0.000185 \$	314,562	\$ 486,556,786	0.001365 \$	664,150	\$ 90,013	28.6%
1998	\$ 1,714,113,823	0.000176 \$	301,719	\$ 531,906,131	0.001363 \$	724,988	\$ 93,615	31.0%
1999	\$ 1,726,773,178	0.000172 \$	296,996	\$ 516,755,622	0.001373 \$	709,670	\$ 88,903	29.9%
2000	\$ 1,783,805,416	0.000166 \$	296,112	\$ 520,755,351	0.002061 \$	1,073,777	\$ 86,445	29.2%
2001	\$ 1,858,004,082	0.000168 \$	312,145	\$ 521,251,745	0.002533 \$	1,335,862	\$ 87,906	28.2%
2002	\$ 1,872,111,687	0.000165 \$	308,898	\$ 516,356,847	0.002551 \$	1,318,451	\$ 85,278	27.6%
2003	\$ 1,886,691,232	0.000166 \$	311,191	\$ 512,614,089	0.002601 \$	1,333,309	\$ 85,094	27.2%
2004	\$ 1,933,474,923	0.000167 \$	322,890	\$ 511,199,543	0.002626 \$	1,342,410	\$ 85,370	26.4%
2005	\$ 2,039,135,746	0.000164 \$	332,379	\$ 548,882,901	0.002636 \$	1,446,855	\$ 89,468	26.9%
2006	\$ 2,130,267,371	0.000200 \$	426,054	\$ 576,695,675	0.002886 \$	1,549,000	\$ 115,339	27.1%
2007	\$ 2,408,564,159	0.000194 \$	467,261	\$ 635,002,306	0.002465 \$	1,628,781	\$ 123,190	26.4%
2008*	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.0%
2009	\$ 2,802,636,965	0.000192 \$	538,106	\$ 668,523,054	0.002242 \$	1,498,829	\$ 128,356	23.9%
2010	\$ 3,063,649,289	0.000193 \$	591,284	\$ 708,629,421	0.002334 \$	1,653,941	\$ 136,765	23.1%
2011	\$ 3,230,291,046	0.000200 \$	646,058	\$ 711,211,545	0.002382 \$	1,632,985	\$ 142,242	22.0%
2012	\$ 3,462,772,869	0.000200 \$	692,495	\$ 699,626,593	0.002453 \$	1,716,184	\$ 139,925	20.2%
2013	\$ 3,438,276,128	0.000198 \$	680,783	\$ 690,321,179	0.002464 \$	1,700,956	\$ 136,684	20.1%
2014	\$ 4,055,016,372	0.000198 \$	802,893	\$ 783,511,135	0.002486 \$	1,947,809	\$ 155,135	19.3%
2015	\$ 4,176,381,108	0.000199 \$	801,865	\$ 816,903,838	0.002342 \$	1,913,189	\$ 156,846	19.6%
2016	\$ 4,271,823,008	0.000209 \$	1,058,484	\$ 877,398,864	0.002093 \$	1,836,396	\$ 254,446	24.0%
2017	\$ 4,383,233,277	0.000281 \$	1,237,718	\$ 921,882,835	0.001118 \$	1,213,042	\$ 259,049	20.9%
2018	\$ 4,783,798,040	0.000271 \$	1,307,097	\$ 1,147,934,459	0.001145 \$	1,314,364	\$ 312,233	23.9%
2019	\$ 5,255,141,050	0.000255 \$	1,351,488	\$ 1,242,372,117	0.001802 \$	2,238,755	\$ 318,805	23.4%
2020	\$ 5,744,613,682	0.000241 \$	1,394,426	\$ 1,338,523,298	0.001802 \$	2,448,059	\$ 327,404	23.5%
2021	\$ 6,203,164,150	0.000224 \$	1,401,961	\$ 1,483,157,246	0.001802 \$	2,676,233	\$ 332,675	23.7%
2022	\$ 7,408,039,699	0.000198 \$	1,459,532	\$ 1,815,356,141	0.001802 \$	3,271,727	\$ 352,279	24.1%
2023	\$ 8,494,033,551	0.000235 \$	1,959,114	\$ 2,231,754,272	0.001567 \$	3,528,499	\$ 529,162	27.0%
2024	\$ 9,181,965,119	0.000288 \$	2,181,183	\$ 2,375,424,808	0.001706 \$	3,956,024	\$ 533,451	25.4%
2025**	\$ 8,101,861,268	0.000225 \$	1,832,919	\$ 2,087,425,435	0.001685 \$	3,517,312	\$ 469,671	25.8%
		\$ 23,917,259				\$ 5,806,878	\$ 5,822,695	24.3%
								\$ 51,581,230

Data from Treasurer's 750 Report

* No data available for 2008

1996-2025

- Brigham City Resident's Tax Contribution:
 - \$5,822,695
 - Approximately 28% of BRWCD total tax
- Brigham City Corporation Spending on its own water system:
 - \$51,581,230

- What would the district look like without Brigham City's Taxes?
 - Rate adjustments
 - Wholesale rate: \$495 per af to \$865 per af
 - Blended Residential rate: \$70 to \$122
 - Ideas for other revenues.
 - Sell 400 Acres of farm ground in Bothwell.
- Why would Brigham City want to stay in the district?
 - Project requests?

• Brigham City Corporation's request:

• Brigham City Council Adoption of Resolution:
• May 1, 2025

• Title 17B-1-504
• Resolution for Boundary Adjustment by the Board.

ACTION ITEM

A- Presentation and Discussion of Contract Renewal – Buster & Brett Marble, Chanshare Farms

Buster Marble of Chanshare Farms presented a proposal for a new contract with the District regarding water use and land lease. The proposal included a request for a dry land value rate, short-term and long-term water leases, and a plan for the hay shed on district property. The proposal outlined the farm's request for a dry land value of \$50 per acre for 470 acres of farmable land, as well as requests for water from the Newman well and a short-term lease.

The board members asked questions about the proposal, seeking clarification on the details of the dry land value and the water requests. They also discussed the potential benefits and drawbacks of the proposal, considering the impact on both the farm and the District.

The board members expressed concerns about the fairness and equity of the proposal, ensuring that the District was not giving away too much water or value to the farm. They also discussed the potential long-term implications of the proposal, considering the sustainability of the farm and the District's water resources.

After discussing the proposal, the board decided to table the discussion and agenda a closed session at the July 23, 2025 meeting to discuss the negotiation points of the proposal. This decision was made to allow for further consideration and negotiation of the proposal, ensuring that the best decision was made for the District.

Trustee DJ Bott, noting that everything about the lease and contract renewal for Chanshare Farms meets the requirements for a closed session, made a motion to table the item and agenda a closed session in the next meeting, seconded by Trustee Kelly Lemmon; all members vote aye, motion passed.

Chairman Jay Capener expressed his appreciation for Chanshare's willingness to work with the District to put that water to use and create revenue for the District that otherwise would not have been generated. He wants to maintain a mutually beneficial relationship between the District and Chanshare Farms.

Ag Water Advocacy



- Salt Lake Chamber Natural Resources Committee
- Northern Utah Chamber Coalition Member
- Actively Monitor Bills To Protect Our Industry
 - Defeated bills limiting turf, requiring water restrictions, prohibiting sale of certain sprinkler parts, etc. by testifying in committee meetings and contacting local legislators
 - Worked with Noxious Weeds Department to delist Hybrid Bermudagrass and promote Water Wise Turf
- Working with Water Conservation Districts to create a Turf Incentive Program
- Proposing legislation that could give water users discounted water rates for conservation rather than for ripping out turf



- ***Legislation (Defeated in 2025 Session)***

- ***HB318 – Residential Turf Amendments*** Would have limited turf in new landscapes to 600 sq. ft. or 2500 sq. ft.
- ***HB328 – Water Usage Amendments*** Would have prohibited use of overhead spray in non functional turf areas.
- ***HB330 – Water Sprinkler Efficiency*** would have prohibited the sale of certain types of sprinkler heads in the state.
- ***HB525 – Clean Truck Amendments*** Would have prohibited the DMV from licensing trucks older than 2010.
- ***SB124 – Landscaping Procurement Amendments*** Would have required that procured landscape maintenance equipment be electric-powered.
- ***SB305 – Waterwise Landscaping Amendments*** Would have imposed landscaping requirements related to state government facilities.



Consistently Optimize Water Use



- Pipe > Wheel Lines > Metered/Pressurized Pivots
- Consistent research into drought tolerant sod
 - Sod trials at USU and BYU
 - Teaching Maintenance through Water Conservancy Districts, etc.
 - Partner of Localscape Program (JWWCD)
- Working with Utah Crop Improvement Association to create certification program for Bermudagrass
- Working with Utah Water Ways to promote Water-Wise Landscapes



- ***Proactive about Water Conservation***

- Produce Alfalfa, Grass Hay, and other crops
- Proactive about updating our seed blends to ensure we have the most water wise sod
- Work with local universities (BYU, USU, Etc.) on sod trials
- Partner with WBWCD, JVWCD, BRWCD, and others to present education on maintenance best practices
- Active in the UNLA, ASLA, URPA, STMA
- Members of SL Chamber, Box Elder Chamber, and Northern Utah Chamber Coalition



- ***Triploid Hybrid Bermudagrass***

- Spent 3 years working with BYU, USU, and industry partners
- Presented research and evidence to the Noxious Weeds Board
- Proved economic demand
- Addressed all concerns from Public Comment
- Was delisted 6/28/2024
- Current supply from Arizona and California
- Directly from farm starting spring 2026

Proposal for Contract with Bear River Water Conservancy District



- Dry Land
 - \$50 Dry Land Value
 - 470 Acres
 - Total = \$23,500 per year



Proposal for Contract with Bear River Water Conservancy District



- Newman Well
 - 800 acre feet total
 - 500 on a short term lease (5 year with option to renew)
 - 300 on a long term lease (10 years)
 - \$250 Per Acre Foot
 - Total = \$200,000.00 per year



Proposal for Contract with Bear River Water Conservancy District



- Wells 3 & 4
 - 300 Acre Feet for 10 years
 - Availability to use acre feet out of either well
 - Review at year 5
 - \$250 per share
 - Total = \$75,000.00
 - Option to continue to use our own water shares transferred into these wells.



Proposal for Contract with Bear River Water Conservancy District



- 7 Acre Office Piece
 - Hay Shed valued at \$252,686.00
 - Trade out value for 4 years (\$63,171.50) for rent on office piece.
 - End of 4 years option to purchase at future appraised value.
 - Availability of purchasing without putting out for bids?
 - After 4 years if unable to purchase, rent value will be determined.



Contract Proposal Summary



- Dry Land 470 acres @ \$50 = \$23,500
- Newman Well 800 ac/ft @ \$250 = \$200,000
- Wells 3 & 4 300 ac/ft @ \$250 = \$75,000
- 7 Acre Office Piece Trade for 4 years = \$63,171.50
 - Total Annual \$361,671.50



Final Thoughts



- Politically active in protecting water in agriculture
- Focused on being a going concern
- Interested in purchasing property
- Seeking a contract through 2036
- Able to leap small buildings in a single bound





Near Future Plans

- *Plant 30 acres of Tahoma 31 Bermudagrass*
- *Sell 450 Acres of Bluegrass*
- *Create a Sod Growers Association to help monitor and shape legislation that is favorable to Agriculture and the Green Industry*
- *Purchase Land where office is located*

B- Connection Fees / Meter & Installation Costs RFP

General Manager Chance Baxter discussed the issue of a contractor's price increase for installing retail connections and performing maintenance. The contractor's prices had increased significantly, Baxter asked the board to consider putting the work out to bid to ensure the District was getting the best value.

Trustee DJ Bott made a motion to put the connection fees, meter & installation costs out to bid, motion seconded by Trustee Lesley Kendrick; all members vote aye, motion passed.

PUBLIC COMMENT

David Griffith, Harper Ward

"I'd like to encourage you to work out things with respect to the big Brigham City proposal to leave the District. I feel like there ought to be a solution in there somewhere that makes everybody happy. Brigham city is about \$51 million over the last 37 years. It seems like the District could contribute to present or future projects so that they are receiving a benefit. I understand that the Harper Ward line project proposal didn't work out or maybe they only got \$5,000 in the past. But now that this discussion's been had, it seems like there'd be projects ongoing in Brigham City that where the District could participate and make things work. Two quagmires I've heard tonight that I would really stay away from. One was brought up by Commissioner Bingham that the state would jump in here and look at the Brigham City excess water and have happy eyes for that. I would stay away from that and that's why I would try to work things out. And the other is Brigham City's share of this debt load. I don't understand how Brigham City escapes that. So those are my comments. I think it'd be a lot easier to just have Brigham City get benefit from the District than it would be to dissolve it and face some potential quagmire and we'll have a stronger District. It's just a good. I think it's a good idea. Thank you."

Mary Bingham, Honeyville

"Let me just say it's been very invigorating. I think I might come back next month. Very interesting. I learned a lot and I appreciate all that you're doing here and for taking your time and energy and your wisdom to look at the problems that have been pointed out. I also would just like to say I hope that you do put policy in place that can continue on for when people aren't here, and new people come but they have something to look at and so it can go forward and not just be subjective but have something kind of concrete. So, I totally agree with that. I just want to say I love living in Box Elder. I been here for a long time, and I just want to say that I love the feeling of harmony that takes place here. So, I hope that that can continue on. That we can work together for the betterment of our county and not become divided because we can be a lot stronger as we work together, in my opinion. Also, I just want to say looking at, you know, even the name Bear River Conservancy District, I just like for you guys to look a little bit into conservation and maybe put some programs out there. I remember they used to do the. The yard of the month in Brigham City and they were beautiful flowers and lawn and everything. I'd like to know a little bit more how to zero scape, become a little bit more educated along that line. And maybe you know, Brigham City that's paying taxes that they're not receiving benefit for. Maybe they can't get, you know, people that. That do something with zero scape, you know, Something like that, that they can have a little bit of a reward. Something to compensate their efforts to start to educate us more. Because even though we do have abundance of water, I think we all realize that we can be without water. You know, it's a fragile thing. Anyway, thank you."

TRUSTEES REPORT

No reports

ADJOURNMENT

Trustee DJ Bott made a motion to adjourn, motion was seconded by Trustee Kelly Lemmon; all members vote aye, motion passed.