

**MINUTES OF THE GENERAL MEETING  
AND OF THE  
BOARD OF TRUSTEES OF THE  
KANE COUNTY WATER CONSERVANCY DISTRICT  
HELD AT THE DISTRICT OFFICE  
725 EAST KANEPLEX DRIVE  
KANAB, UTAH 84741  
NOVEMBER 13TH, 2025**

The general meeting of the **BOARD OF TRUSTEES OF THE KANE COUNTY WATER CONSERVANCY DISTRICT** was held at the Kane County Water Conservancy District (KCWCD) Office, Kanab, Utah on the 13th, day of November 2025 at 6:00 P.M. Board Chairman, Ben Clarkson welcomed board members, employees, and public attendees to the meeting. Ben conducted a roll call at the beginning of the board meeting. Board members in attendance said present.

**THE MEETING OPENED WITH THE PLEDGE OF ALLEGIANCE and OPENING PRAYER:** Board Member Ferril Heaton offered the opening prayer. The board members and employees of the KCWCD participating in the meeting were: board members Chairman Ben Clarkson, Mckay Chamberlain, David Schmuker, Clay Hansen, Steve Shrophe, Ferril Heaton and Mike Kenner was excused. KCWCD management and staff in attendance included: General Manager, Michael Noel, and Office Manager Amanda Buhler. Contract employees in attendance included Jennifer Stewart and Dirk Clayson. Members of the public who attended the meeting were Commissioner Patty Kubeja and Scott Bowen representing Duck Creek Village.

**AGENDA ITEM NO. 1: APPROVAL OF MINUTES: MOTION:** Clay Hansen made a motion to approve the October 9th, 2025 minutes. Ferril Heaton seconded it. The vote was unanimous in the affirmative.

**AGENDA ITEM NO. 2: JACKSON FLAT RESERVOIR AND KANAB IRRIGATION COMPANY COORDINATION:**

**(a) Jackson Flat Reservoir water update:** Mike reported that the reservoir is 57% full and last year we were at 52%. We are still waiting on the money from the National Park Service for the water we sold them to use on the Bravo Fire. Seth Giddings has been mowing many Cottonwood trees and other shoreline vegetation along the reservoir. Removing these phreatophytes along the shoreline will result in a significant amount of water conservation. Next year we can use the smaller brush mower to keep the cottonwoods and other plants from coming up. The mower has been overheating a little bit so they just turn it off for 15 minutes and it cools off. They are leaving some of the bigger trees for the landscape and shade along the trail. The mower ended up costing more than what we thought and Mike asked them why? They responded that it was the tariffs even though it is made in the USA. He asked them for documentation showing that the tariffs caused the price to go up.

### **AGENDA ITEM NO. 3: JOHNSON CANYON WELL PROJECT:**

(a) Mike reported we are working with the Division of Drinking Water to complete this project. Drinking water approved us doing the work in house with our own crews. This will allow us to save on the cost of construction, which can be used to make up the shortfall that resulted from the misunderstanding about drilling the well early. Mike plans on trying to restore funding for the project. We are waiting on the engineering plans for an additional line which will allow us to pump well 3 and 4 into the tank for blending and to deliver water that is less than half the S04 content. Ben asked if we had paid Gardner Brothers. Mike responded that we have paid them in full. Mike feels confident that we should be able to recoup some of that cost by doing our own work on the pump house and installing the pipeline. Clay Hansen asked about the funding and how it has to be used. Mike explained we still have a \$1 million grant and \$2 million in loans @ 1.99%. We have to use the \$1 million dollars in one-third increments and the \$2 million dollars at the same time.

Willow Development -Mike reported that the draft of the Willow preliminary report stated it was not approved by the state, even though it actually was approved. This project is expected to have one of the lowest cost-benefit ratios for the new connections, because of the minimal amount of pipe and PRVs we need to install, and the fact that the customer will be paying those fees. (b) Johnson Canyon Land Purchase- Dirk reported the easements are all to the District's benefit if we buy the property. Dirk will explain later in the meeting where the easements and access points are on the property.

**AGENDA ITEM NO. 4: EAST KANE COUNTY WATER SYSTEM (New Paria and West Clark Bench):** Mike reported we are still waiting on Pat Benda to supply us with the full SCADA reports on all of our systems. We're waiting on getting information on our water samples. We've talked to Pat and we're also talking to Sunrise Engineering so we have all of the data in house that we need. Pat is trying to figure out how to allow access to all the irrigation users so they can see the detailed data from the SCADA readings. Ben recommended getting someone that can understand the technology. Ben recommended Craig Baird or someone local that can look into this and learn how it works. One of our primary goals is to provide more water pressure for everyone on the system. Mike recommended Robert Hill, from Utah State University. If we could get him to come down or set up a zoom call with him, he may be able to solve our low pressure system problems. David Schmucker reported there is a young man involved in 4-H and lives in New Paria that volunteered and worked for 5 hours cleaning up weeds around and inside the fenced area. David asked if the District would consider sponsoring him for Archery Nationals. David will find out more about him and the details of the trip to Nationals and then work with Mike to decide on an amount to help him with funding to get there. Mike and the board agreed this is a good public relations effort to help residents in each area.

### **AGENDA ITEM NO. 5: FINANCIALS:**

(a) Mike and Amanda reviewed the PTIF Accounts and financials. Clay asked where the funds came from to pay Gardner Brothers. Amanda and Mike explained it came from account #3889 stabilization/capitalization and bond account #4942 Zion View CIB Reserve. Mike explained every bond is paid in full except for one. The State Bank of Southern Utah Enterprise checking account has a balance of \$6,607.12 and we are waiting on a reimbursement of \$47,696.15. The various Public Treasurer's Investment Funds (PTIF) balances total \$1,569,700.30. We have collected 38% of the projected budgeted water fees for FY 2025-2026.

(b) The check register was reviewed by the board. There were questions asked about various key transactions on the register. Currently, for FY 2025/2026 there are 8 new connections in Johnson

Canyon, 4 connections in Duck Creek and 0 connections in the East Kane County Water Systems. There have been 179 irrigation town radio read meters installed on the Kanab Irrigation company lines to date.

**(c)** Based on current projections, we expect to receive \$1,090,000 in tax revenue for FY 2025/2026. We currently have received 4% of the total projected tax revenue. The actual yearly tax revenue will most likely be more than we projected to receive, as we have always acted very conservatively in our projection. The board members reviewed and signed off on the checking account register. Amanda asked all attending board members to sign the two bank statements that she provided for them.

Mike introduced Shay Owens, our newly hired attorney for the water district.

**MOTION:** Clay Hansen made a motion to approve the financial statement, check register, payment of bonds and bills, and check #s 20337 to 20419. David Schmuker seconded it. The vote was unanimous in the affirmative. The board considered all of the financial numbers correct as of November 13th, 2025 presented at the November 13th, 2025, meeting.

PTIF Project Escrow's	\$ 905,593.32
Enterprise Fund – Checking # 5110788	\$ -41,089.03
PTIF Enterprise - #3697	\$ 3,028.81
PTIF Muni Escrow- #3891	\$ 168,298.87
PTIF Stabil.Cap./Replacement - #3889	\$ 59,134.24
PTIF Total Bond/Res. Accts.	<u>\$ 1,339,238.38</u>
<b>Sub-Total Checking/Savings</b>	<b>\$ 2,434,204.59</b>
Accounts Receivable	\$ 466,376.34
<b>Total Other Current Assets</b>	<b><u>\$ 467,171.90</u></b>
<b>Balances/All Funds</b>	<b>\$ 3,367,752.83</b>

**AGENDA ITEM NO. 6: DIRECTOR'S REPORT:** Ben asked Commissioner Patty Kubeja and Scott Bowen if they had any comments or questions for the board. He thanked them both for attending. Patty reminded the board that the board members positions that are open need to submit their applications by November 24th. Mike made a comment about the District's policy on water development and that we don't stop the development of water to control growth.

**(a) EIS Cove Reservoir** - Mike reported there was a meeting today with the agencies. Norm Evenstead explained to Mike some of the things that were going on within the agency. Mike asked Norm if he would help us work through the EIS and other issues to help move the project forward. Zach Renstrom was supportive of hiring Norm to work with officials in Washington D.C. NRCS is supposed to provide comments on the draft EIS by 11/21/25. Cultural Issues with the Moapa Band of Piutes ongoing questions about the EIS. U.S. Fish and Wildlife Service should have completed comments within the next two weeks. Emily Paris will communicate with them. Army Corps of Engineers are still not done with their reports. We will give them a deadline to finish and release their report. Eocene finalization on the biological assessment should be completed soon. We have the new funding design and bid proposal.

Ben declared we go into a closed session.

**MOTION: Executive Session:** Clay Hansen made a motion to go into executive session for the

purpose of discussing the legal strategies and land purchase in Johnson Canyon. Ferril Heaton seconded it. Vote was unanimous in the affirmative.

**MOTION:** Clay Hansen made a motion to approve the purchase of 5 acres in Johnson Canyon as identified on the GPS maps by Dirk. Property cost is \$163,000 and with \$5,000 earnest money already paid. The closing date is set for December 14th, 2025. Ferril Heaton seconded it. Vote was unanimous in the affirmative.

**(b) Next Meeting Date: December 11th, 2025, 6:00 P.M. @ Kane County Water Conservancy District. Annual Christmas Dinner 5:00 P.M. board members, employees, and spouses.**

**MOTION:** Steve Shrope made a motion to adjourn. Ferril Heaton seconded it. The meeting was adjourned at 7:55 P.M. on November 13th, 2025, per a unanimous vote.

**APPROVED:**

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**Ben Clarkson- Chairman, Board of Trustees, KCWCD -Date**

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**Michael E. Noel – General Manager, KCWCD - Date**

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**Amanda Buhler- Board Clerk, KCWCD - Date**