

MINUTES OF THE **REGULAR BOARD MEETING** OF THE BOARD OF TRUSTEES OF THE CENTRAL UTAH WATER CONSERVANCY DISTRICT HELD ON WEDNESDAY, JANUARY 21, 2026, AT 1:00 PM AT DISTRICT HEADQUARTERS, OREM, UTAH.

TRUSTEES PRESENT

Shelley Brennan	Wade E. Garner	Greg McPhie
Wayne Andersen	Steve Hanberg	Jim Riding
Kevin J. Anderson	Max Haslem	Jennifer Scott
Jon Bronson	Marvin Kenison	Randy Vincent
Kirk Christensen	Kathy Wood Loveless	Brad Wells
Steve Farrell	L. Alma Mansell	

STAFF PRESENT

Gene Shawcroft, General Manager	Sarah Sutherland, Environmental Program Manager
Lisa Anderson, Board Executive Assistant	Brett Taylor, DACRWTP Lead Operator
Robert Moore, General Counsel	Bruce Ward, Chief Engineer
Kirk Beecher, Engineering Manager	Paulette Webster, Contract Administrator
Gary Brimley, Project Engineer	Mike Whimpey, Assistant General Manager
Ric Cantrell, Director of Strategic Engagement	Gerard Yates, Deputy General Manager
Kent Cottle, Info Technology Manager	
Josh Darling, Diamond Fork Area Manager	<u>GUESTS PRESENT</u>
Matthew Gregg, Computer System Specialist	Robert & Lori Aitken, Guests
Jared Hansen, Director of Water Policy	Sterling Brown, SWUA
Shaun Hilton, Project Engineer	Caison Chandler, BYU
David Imlay, Raw Water Operations Manager	Paul Christensen, DOI CUPCA Office
Shawn Lambert, CFO	Gordon Cook, MWDSLS
Cort Lambson, Engineering Manager	Jaren Hamblin, BYU
Bart Leeftang, Assistant General Manager	Brad Jeppson, Stantec
Rick Maloy, Project Coordinator	Chandler Johnson, BYU
Garrett Montague, Electronics Technician	Jason Luettinger, Bowen Collins & Associates
Aspen Neville, GIS Analyst	Scott Morrison, Jacobs Engineering Group
Roger Pearson, CUPCA/Special Programs Manager	Eldon, Diana, Hilary, & Wesley Neves, Guests
Mike Rau, Finished Water Operations Manager	David Robertson, LRB Public Finance Advisors
Rob Shelley, Senior Systems Administrator	Nate Robertson, LRB Public Finance Advisors
Bronson Stewart, Controller	Mitch Rose, BYU
Amanda Strack, Water Conservation Manager	Lauren Woodland, BYU

Chair Shelley Brennan called the meeting to order at 1:04 p.m.

Rob Moore, General Counsel, read the Resolution of Appreciation for outgoing Trustee Eldon Neves.

Chair Brennan then asked Kevin J. Anderson, newly appointed Trustee representing Utah County, to introduce himself. Kevin stated that he farms and ranches in Benjamin and is married with six children and eight grandchildren. He stated that he has served on water boards for about 40 years, including on the Strawberry Water Users Association Board.

Board Executive Assistant, Lisa Anderson, administered the oath of office to newly appointed Trustee Kevin Anderson, and reappointed Trustees Wells, Vincent, Garner, Bronson, Loveless, McPhie, and Farrell.

*Motion that the Board approve the minutes of November 19, 2025, Work Session and Board Meeting made by Trustee Bronson and seconded by Trustee Mansell.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Haslem, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 17; *Motion Passes.*

PUBLIC COMMENT

No comments received.

GENERAL MANAGER'S REPORT

Gene welcomed and introduced guests. He then drew attention to the District calendar, which shows the holidays, Board Meetings, and conferences planned for 2026. He next recognized Robert Aitken, who is retiring after 24 years of working at the District.

Gene next reported ongoing difficulties in negotiating a seven-state agreement to manage the Colorado River, noting that despite intensive meetings—including four days in Salt Lake City—no consensus has been reached. Utah and the other Upper Basin states are advocating for a supply-focused framework that reflects actual river flows rather than historic demand patterns. Major points of contention include how much water should be released from Lake Powell to Lake Mead, how conservation programs are accounted for, and disagreements over the role of the Upper Basin's major reservoirs (Powell, Flaming Gorge, Blue Mesa, and Navajo). These reservoirs were constructed to help the Upper Basin meet its compact obligations, yet Lower Basin states increasingly view them as sources that should be released on demand, which the Upper Basin strongly opposes.

Complicating matters further, the federal government has issued a draft environmental impact statement outlining five possible operating alternatives that could be imposed if the states fail to reach an agreement. Without a seven-state consensus, the system risks legal challenges and potential claims of violations of compact obligations at Lees Ferry within eight to nine months due to declining river forecasts, low reservoir levels, and poor snowpack. Additional challenges include obligations to Mexico under the 1944 treaty and the diverse interests of 30 tribes with varying water rights and delivery mechanisms. Despite these pressures, Utah emphasizes long-term conservation, reduced per capita use, and strategic management of storage to ensure future water security, even as climate-driven declines continue to strain the system.

Gene asked Jared Hansen, Director of Water Policy, to give a water supply report. He reviewed the current water conditions in key Central Utah Project reservoirs—Starvation, Jordanelle, and Strawberry—showing declining storage and below-average inflows driven by an unusually warm winter, minimal snowfall, and storms that produced rain rather than snow. While early precipitation boosted soil moisture and may improve spring runoff efficiency, statewide snowpack remains shallow and in many places near record lows, especially at mid and low

elevation basins that supply much of the region's water. Drought conditions have intensified compared to last year, with snow levels remaining high and overall precipitation underperforming expectations. Although a few high elevation areas are near normal and some reservoirs like Starvation are projected to fill, most basins face significant supply challenges, and forecasts indicate warmer than average temperatures with uncertain precipitation for the remainder of the season. Jared also reported that this is the first time in 30 years that some part of California has not been considered in a drought. Up-to-date hydrologic information can be found on the District's website at <http://watersupply.cuwcd.gov>.

Trustee Max Haslem was excused at 2:11 p.m.

### COMMITTEES

#### TECHNICAL & PROFESSIONAL SERVICES - CHAIR JIM RIDING

Cort Lambson, Engineering Manager, presented the construction contract for the Olmsted Equalization Reservoir Solids Management Project. He stated that this project addresses increasing sediment buildup and safety concerns in the reservoir where crews annually remove accumulated material. As system conditions have changed since 2004—including new property acquisitions and the construction of ULS pipelines—existing sediment management facilities have become undersized and difficult to access. He shared that this project includes constructing a new interconnection structure, installing a 700-foot 24-inch HDPE pipeline, building a large reinforced-concrete sediment basin, adding a drainage channel, and implementing a wash-down system to improve safety and efficiency. After prequalifying five contractors and receiving responsive bids, Whittaker Construction submitted the lowest responsible bid at \$7,477,180, significantly below the engineer's estimate of just over \$9 million.

*Motion that the Board award the construction contract for the Olmsted Equalization Reservoir Solids Management Project to Whitaker Construction, Inc. in the amount of \$7,477,180.00 and authorize District officers to execute the contract, subject to District legal counsel review made by Trustee Riding and seconded by Trustee Wells.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

Cort next presented Amendment No. 1 to the Professional Services Agreement with Advanced Engineering and Environmental Services, LLC for the Olmsted Equalization Reservoir Solids Management Project. The amendment outlines additional work needed for the Olmsted Equalization Reservoir Solids Management Project that has become better defined since beginning the design phase, including newly identified structures and access roads, added security measures, expanded fiber optic connectivity to integrate with the Olmsted Hydro plant and Alpine Reach One facilities, a new wash down system to support reservoir cleaning, and unanticipated modifications to the basin, outlet structure, gates, and electrical components. The increased design complexity has also required more support during bidding and will extend through construction, prompting a contract extension. Amendment No. 1 totals \$273,748, increasing the original \$659,000 agreement to \$932,750.

*Motion that the Board approve Amendment No. 1 to the professional services agreement with AE2S for the Olmsted Equalization Reservoir Solids Management Project in an amount not to exceed \$273,748.00, and authorize District officers to execute the amendment, subject to District legal counsel review made by Trustee Riding and seconded by Trustee Farrell.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

Lastly, Cort presented Task Order 2026-01 with the U.S. Bureau of Reclamation for Inspection and Construction Management Services for the Olmsted Equalization Reservoir Solids Management Project. He explained that after the Olmsted flowline and related facilities were completed in 2004, they were transferred to the DOI as part of the Bonneville Unit M&I system, and as several current projects tie into those facilities, they will also be transferred to the DOI upon completion. Cort reported that in such cases, the DOI requests that the BOR provide inspection and construction-management services to ensure the work meets their quality-control requirements, consistent with an existing MOU that allows task orders for this purpose. He said that this arrangement mirrors past construction-management agreements for projects such as the Santaquin pipeline, the Wasatch County Canal realignments, and the AA-1 replacement project. As a result, the BOR has issued Task Order 2026-01, a time-and-materials agreement with an estimated cost of \$700,000, and any unused funds will be returned to the District.

*Motion that the Board approve Task Order 2026-01 with the USBR for inspection and construction management services for the Olmsted Equalization Reservoir Solids Management Project in the amount of \$700,000.00 and authorize District officers to execute the task order, subject to District legal counsel review made by Trustee Riding and seconded by Trustee McPhie.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

Kirk Beecher, Engineering Manager, presented the Real Property Exchange Agreement between Central Utah Water Conservancy District and the City of Orem for the exchange of a portion of the District's property for easements in Orem's property. He stated that Orem requested to lease or obtain an easement on a steep 6.8-acre hillside below the Olmsted equalization reservoir for use as a bike skills park. Concerned about liability, the District instead offered to sell the land, which led to broader discussions once access needs for the new solids-handling reservoir became apparent. Kirk reported that the negotiated agreement would deed the steep hillside and a small waterline easement to Orem, while Orem would grant drainage and access easements through its park and surrounding property that the organization has long used but never formally held. Though the acreages exchanged differ, the land values are comparable, with the organization conveying property worth about \$208,000 and receiving easements valued at approximately \$216,000.

*Motion that the Board approve the real property exchange agreement between Central Utah Water Conservancy District and Orem City and authorize District officers to execute the agreement, subject to District legal counsel review made by Trustee Riding and seconded by Trustee Hanberg.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

Shaun Hilton, Project Engineer, presented Change Order No. 4 to the Construction Contract with Alder Construction for the CWP Groundwater Polishing Plant Project. He explained that the project on the CWP system is nearing completion, with seven of eleven wells feeding into the facility to remove iron and manganese from groundwater. Shaun stated that this change order, totaling \$384,314, accounts for 25 adjustments, the largest of which involves removing about 12,500 cubic yards of impacted soil discovered early in construction and later hauled to a nearby pit willing to accept it. He said that with this and previous changes, the contract has increased by just over 2.5%, bringing the total to approximately \$84.76 million, and extending final completion to April 17 to allow sufficient time for startup, commissioning, and resolving operational issues before handoff to O&M.

*Motion that the Board approve Change order No. 4 to the construction contract with Alder Construction for the CWP Groundwater Polishing Plant in the amount of \$384,314.00 and authorize District officers to execute the change order, subject to District legal counsel review made by Trustee Riding and seconded by Trustee Scott.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

#### WATER SUPPLY PLANNING & CUPCA PROGRAMS - CHAIR KIRK L. CHRISTENSEN

Rick Maloy, Project Coordinator, presented the Exchange Agreement between the Central Utah Water Conservancy District and Lindon City. He stated that the Provo Bench Canal, built in the mid-late 1800s, has become increasingly obsolete as Utah County shifted from agricultural irrigation to municipal water use, with Orem City no longer using the canal and Lindon City only conveying water through it to supply its secondary system. Rick reported that with the canal deteriorating and Orem unwilling to continue paying for maintenance, the canal company voted to dissolve and abandon it, a decision made possible through an exchange agreement ensuring Lindon City remains whole by shifting its water delivery to the Provo River Aqueduct. He also reported that a District analysis showed about 4 cfs of water loss in the canal, forming the basis of the exchange in which Lindon transfers 38 shares each of Provo River and Deer Creek storage water—about 420 acre-feet—in return for 5 cfs from the District's unused 50 CFS in the aqueduct, giving the district valuable wet water while allowing the canal to be retired and its prescriptive-easement corridor returned to adjacent landowners.

*Motion that the Board approve the exchange agreement between Central Utah Water Conservancy District and Lindon City and authorize District officers to execute the agreement, subject to District legal counsel review made by Trustee Christensen and seconded by Trustee Andersen.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

LEGAL - CHAIR MARVIN KENISON

Chair Kenison reminded the Board that this item was mentioned in the previous Closed Session, and now the Board must ratify the Water Stock Purchase Agreement between the District and the Church of Jesus Christ of Latter-day Saints.

*Motion that the Board ratifies the approval of the water stock purchase agreement between the Central Utah Water Conservancy District and the Church of Jesus Christ of Latter-day Saints, subject to District legal counsel review made by Trustee Kenison and seconded by Trustee Wells.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

Rob Moore, General Counsel, reviewed Resolution 2025-11-13, a Resolution approving an Interlocal Cooperation Agreement between Utah County Reinvestment Agency and Central Utah Water Conservancy District related to the Quicksilver Solar Community Reinvestment Project Area. He provided background on the proposed tax increment request for this large solar project located in unincorporated Utah County. He reminded the Board that the matter was discussed extensively in November 2025, at which time several trustees expressed concern that the project had not met the District's "but for" requirement. The Board subsequently voted to continue the item to this meeting. Rob reported that on January 7, the District received a three-page letter from Enyo intended as the developer's follow-up to the "but for" analysis. He stated that the Board's responsibility is to consider whether a tax increment should be approved based on District policy.

Trustee Bronson stated that, in his view, the Enyo letter did not meet the "but for" requirement and did not comply with District policy, which instructs the District not to rely solely on the developer's representations but to consider cash flow projections, article studies, and additional supporting evidence. He shared research on other Utah counties utilizing tax increment financing for solar projects, noting one project each in Carbon and Sevier Counties, two each in Emery and Tooele Counties, and thirteen in Iron County. Kane County had approved one project that had not yet moved forward. Trustee Bronson asked Rob to obtain a copy of Canyons School District's policy for comparison and possible incorporation into future revisions of the District's policy.

Trustee Garner expressed that he had numerous questions and raised several key concerns. These included whether new growth could eliminate the need for interlocal agreements or tax increases; whether depreciation schedules for solar farm equipment should be reviewed; whether tax increment creates an unfair advantage for new developers compared to long established local businesses; whether solar farms provide more benefit to Utah or to other states; whether such projects allow developers to hold land for extended periods; and how the District should consider the concerns of residents who prefer to maintain rural property values. He noted that most of his concerns were not directly water-related but emphasized that the District has a vote in the process.

Trustee Vincent asked whether the District is obligated to approve agreements that meet policy requirements. Rob clarified that while the Board has adopted a policy framework, the decision ultimately rests on whether approving the tax increment is in the District's best interest. Trustee Vincent then asked how the project benefits the District. Rob explained that the property currently generates minimal tax revenue, and the proposal would improve the property and increase revenue. Under the proposed arrangement, the District would receive 30% of the increased taxable value for 20 years, with an estimated net gain of \$4 million above what the District would otherwise receive.

Rob also noted that some issues raised by trustees may be more appropriately addressed by county commissions. He added that there are rumors of potential legislation affecting these matters and that staff could return in May with recommended updates to the Board's policy.

*Motion that the Board adopts Resolution 2025-11-13, A Resolution approving the Interlocal Cooperation Agreement between Utah County Reinvestment Agency and Central Utah Water Conservancy District related to the Quicksilver Solar Community Reinvestment Project Area located within unincorporated Utah County, Utah, made by Trustee Kenison and seconded by Trustee McPhie.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Wells. Trustees Against: Farrell, Garner, Vincent. For: 13; Against: 3; *Motion Passes.*

ENVIRONMENTAL, CONSERVATION, & COMMUNICATIONS - CHAIR JENNIFER SCOTT

Amanda Strack, Water Conservation Manager, presented Resolution No. 2026-01-01, A Resolution to adopt the Interlocal Cooperation Agreement between Central Utah Water Conservancy District and Murray City Corporation related to the Yoppify Pilot Project. Amanda stated that this resolution seeks approval to adopt an interlocal cooperation agreement with Murray City Corporation to fund Yoppify's data analytics and conservation messaging services. She reminded the Board that in 2023, they approved a five-year professional services agreement with Yoppify to work with up to five municipalities per year at an annual cost not exceeding about \$311,000. Although Yoppify has engaged with many cities, only one agreement has been finalized so far, making Murray City second, as their process requires an interlocal agreement and a Board-adopted resolution. Additional proposals with three more municipalities are in progress.

*Motion that the Board adopts Resolution No 2026-01-01, A Resolution to adopt the Interlocal Cooperation agreement between Central Utah Water Conservancy District and Murray City Corporation related to the Yoppify Pilot Project, subject to District legal counsel review made by Trustee Scott and seconded by Trustee Kenison.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

UNAPPROVED  
JANUARY 21, 2026

UNAPPROVED

FINANCE, AUDIT, & BUDGET - CHAIR GREG MCPHIE

*Motion that the Board approve the Financial Reports, as certified by the Chief Financial Officer, for the periods ending November and December 2025, the CUPCA expenditure total \$3,027,245.52 and \$1,152,364.58, respectively, and the total District expenditures posted during the same periods total \$13,314,662.08 and \$16,161,139.58, made by Trustee McPhie and seconded by Trustee Mansell.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

*Motion that the Board strike agenda items 10, 11, 12, 13, and 14 made by Trustee Wells and seconded by Trustee McPhie.*

Trustees For: Brennan, Andersen, Anderson, Bronson, Christensen, Farrell, Garner, Hanberg, Kenison, Loveless, Mansell, McPhie, Riding, Scott, Vincent, Wells. For: 16; *Motion Passes.*

*Motion that the Board adjourns made by Trustee Mansell.*

The meeting adjourned at 3:08 p.m.



Shelley Brennan, Chair



Gene Shawcroft, General Manager