



Bona Vista Water Improvement District

2020 W 1300 N, Ogden, Utah 84404

Phone (801) 621-0474

Board of Trustees Meeting Minutes

Date: Monday, August 31, 2026

Time: 2:00 p.m.

Location: Bona Vista Water Improvement District Office

Board Members Present:

Ronald Stratford, Chairman

Mayor Roger Shuman

Mayor Les Syme

Mayor Phil Meyer

Mayor David Bolos

Electronic Attendees via Zoom/Telephone:

Chris Crockett, Legal

Mike Miller – Member of the Public

Excused Attendees:

n/a

Staff Members Present:

Matt Fox, General Manager

Kenny Hefflefinger, Assistant Manager

Shauna Gilchrist, Clerk/Admin Manager

Greg Seegmiller, District Engineer

Guest Presenter:

Cameron Jackson

Craig Jackson

Legal Representative of ColeWest

1. Call to Order

Chairman Ronald Stratford called the meeting to order at 2:00 p.m.

2. Approve Meeting Minutes from July 27, 2026

Motion: Mayor Shuman

Second: Mayor Meyer

Vote: Unanimous Ayes – Bolos, Syme, Meyer, Stratford, Shuman

Result: Motion carried.

3. Review and Motion to Approve July 2026 Check Register

Motion: Mayor Bolos

Second: Mayor Syme

Vote: Unanimous Ayes – Bolos, Syme, Meyer, Stratford, Shuman

Result: Motion carried.

4. Motion and Discussion of Petition to Annex Property into the District for SteelCreek Phase 4 Development owned by Westside Investments LC

Motion to Approve: Mayor Shuman

Second: Mayor Syme

Vote: Unanimous Ayes – Bolos, Syme, Meyer, Stratford, Shuman

Result: Motion carried.

5. Project Updates

Tank: The tank is being backfilled and is waiting for electricians to install the wiring.

Harrisville Road: Work on Harrisville Road is finishing up with the tie-in to the vault. The work is expected to be completed within the next couple of weeks. Mayor Syme inquired whether the delays would warrant additional charges to the contractor. Matt stated that the project was close to completion and that it would probably be best to finish the work without imposing a penalty.

Railroad Bore: The railroad bore is on hold while waiting for the railroad to communicate with us. Contractors and the District have contacted the railroad but have not received a response or resolution. Contractors are scheduled to meet with the District the following week. The bid was awarded to Marriott Construction, with Nix Construction performing the bore.

Well Protest: There has been no change in the status of the well protest.

Chairman Stratford asked whether the District owns property that could be considered for drilling a well. Matt stated that the District owns the North Ogden and Hot Springs Tank properties, which could be considered.

6. Water Report

Matt reported that the District's water percentages are looking good. The next several months will be important depending on the weather and how long secondary water remains available. Citizens are doing well at conserving water.

7. Cole West Discussion on Pleasant Plains Development

Cameron Jackson introduced Craig Jackson and explained that Craig Jackson owns the property in Plain City and that ColeWest is currently under contract to purchase the property. ColeWest

has been working with Mayor Meyer and Plain City staff on a development agreement for the property.

ColeWest explained that, because of the property's geographical location and available water resources, several water-service options are being evaluated, including working with Bona Vista, Warren-West Warren Water District, or potentially creating a new water district. ColeWest stated that it believes Bona Vista could make sense for the project and requested the Board's feedback regarding how the project could benefit the District.

ColeWest stated that discussions regarding the property and Bona Vista began approximately four years ago. In 2025, discussions included potentially annexing the property into Bona Vista. At that time, the understanding was that if the property owner took care of secondary water, the property could be annexed without a water dedication requirement. ColeWest stated that, based on those discussions, it made significant investments and decisions regarding the property, including granting an easement to Bona Vista without consideration.

ColeWest acknowledged that Bona Vista adopted a new resolution in 2026 requiring new annexations to bring water shares into the District. ColeWest stated that it understands the requirement and would bring water shares if the property is annexed.

The primary concern raised by ColeWest was the District's current water dedication/conversion rate. ColeWest stated that the rate appeared high and requested discussion regarding whether the rate could be reconsidered based on more recent water-use data.

ColeWest also asked whether there were opportunities for the development to provide additional benefits to Bona Vista beyond the minimum requirements for annexation, including potential well sites, water rights, storage, infrastructure, or other improvements.

Matt explained that the benefit of a potential well site depends on both the quality and quantity of the groundwater available. He noted that the District had previously purchased property and spent \$400,000 on a possible well that ultimately was not viable. Matt stated that dedicating land for a well does not necessarily benefit the District without knowing what water is available beneath the property.

Matt also stated that water quality generally becomes poorer farther west. Greg stated that studies have been conducted for years showing that water quality decreases as the distance to the Great Salt Lake decreases.

ColeWest clarified that its intent was to explore whether the parties could work together to identify potential well sites or other infrastructure opportunities that could benefit both the development and the District. ColeWest noted that the project could involve approximately 3,500 residential units over an estimated 25-year buildout.

Chris Crockett, legal counsel, advised the Board that both actual water ("wet water") and water rights ("paper water") need to be considered in evaluating the proposal. He also advised that the

proposal was premature for the Board to make a determination because there was not yet a formal written proposal or annexation application.

ColeWest stated that it has significant water rights and estimated that it has more than 3,000 acre-feet of water rights available for consideration. ColeWest expressed a willingness to bring those water rights to the District and provide the required storage and transmission infrastructure.

The Board and staff emphasized that any annexation must comply with the District's requirements and that ColeWest would need to provide its fair share of water rights and infrastructure. Several Board members questioned why ColeWest would offer more than the District requires. ColeWest explained that it was attempting to identify ways to provide additional value to the District in exchange for greater certainty regarding the development.

ColeWest discussed the possibility of a development or annexation agreement establishing requirements and formulas for water dedication, infrastructure, storage, and other obligations over the project's long-term buildout. ColeWest stated that the agreement could potentially establish a formula rather than a fixed number because water requirements and other factors may change over time.

ColeWest also raised concerns regarding the District's current system-specific sizing and the conversion rate. ColeWest proposed that the District consider using more recent water-use data and suggested that a dedication rate of approximately 0.25 might be more appropriate than the current 0.34 rate.

Greg disagreed with certain aspects of ColeWest's analysis and stated that the District is currently operating under system-specific sizing established by the State. He noted that the system-specific sizing is reviewed approximately every three years. Greg also stated that the variability factor had not been eliminated as ColeWest had understood.

ColeWest explained that its proposed annexation would likely occur in phases. Water rights would be dedicated with each residential plat, while commercial dedication requirements could be evaluated based on individual site plans because water use can vary significantly between commercial uses.

The Board discussed the importance of protecting existing District customers and ensuring that adequate water resources and infrastructure are available before accepting a large development. Board members noted that water is a finite resource and expressed a preference for ensuring that the District is adequately protected rather than underestimating future requirements.

Greg outlined several engineering considerations for the development, including:

- A well site would generally require a minimum of approximately one acre.
- Wells should generally be limited to approximately 800–1,000 gallons per minute to avoid excessive groundwater drawdown and impacts to nearby wells.
- Based on current estimates, the development may require at least two wells.

- Above ground infrastructure would need to be located above the applicable flood elevation and above the historic Great Salt Lake elevation of 4,272 feet.
- Indoor storage requirements would be approximately 1.3 million gallons based on current system-specific sizing.
- If a separate pressure zone is created, additional fire storage may be required.
- Depending on the system design, fire-flow requirements could range from approximately 2,000 gallons per minute for two hours to 8,000 gallons per minute for four hours.
- The District would need additional information regarding paper water, wet water, storage, distribution, pressure-reducing valves, and the proposed development schedule.

Greg requested that ColeWest provide a detailed proposal identifying how water rights, source water, storage, distribution infrastructure, and other requirements would be phased with the development.

The Board also discussed the timing of water-right dedication. Greg explained that the District would need to receive sufficient water rights when annexation occurs but would not necessarily want to receive and account for the entire development's water rights at one time if the project is expected to build out over approximately 25 years. A phased annexation and dedication proposal would therefore be useful.

Chris advised ColeWest to submit a written proposal identifying its requested water dedication rate, the basis for its calculations, and any additional benefits or infrastructure it proposes to provide to the District. He stated that the District could then evaluate whether to maintain its existing resolution, modify it, or request additional information.

ColeWest also raised the issue of District fees. Matt stated that the current annexation fee is \$1,000 per acre and that tie-in fees are \$450 plus \$75 per lot. ColeWest questioned the application of the \$1,000-per-acre annexation fee to a property of approximately 1,500 acres.

ColeWest stated that it would be willing to pay engineering and legal review costs and suggested that a fee structure could be developed based on actual District costs. The Board discussed the possibility of requiring an escrow account to cover engineering, legal, and other District costs associated with reviewing the proposal.

Chris recommended that an escrow arrangement be considered. The Board requested that ColeWest submit a proposal and that District staff develop a fee structure or hourly rates so that the parties could better understand the anticipated costs.

The Board and ColeWest also discussed concerns regarding the long-term development period and the possibility that the property could be sold during the approximately 25-year buildout. ColeWest stated that development agreements can address assignment provisions and other protections to ensure that obligations remain with the project.

ColeWest stated that it wants to work with Bona Vista but needs sufficient certainty regarding water requirements and other District obligations before completing the purchase of the property.

Legal Counsel Discussion Regarding Promissory Estoppel and Detrimental Reliance

Chris Crockett stated that he had heard discussion regarding promissory estoppel and detrimental reliance in connection with the prior communications and discussions between ColeWest and the District. Chris stated that he had previously advised the Board regarding these legal issues and that the Board was aware of the matter.

Chris requested that any further communications or discussions specifically concerning promissory estoppel, detrimental reliance, or related legal claims be directed through him as the District's legal counsel. He advised the parties to communicate with him regarding those particular issues rather than addressing them separately with District staff or Board members.

The discussion concluded with Greg and Chris reiterating that a written proposal would be the appropriate next step. The proposal should identify the requested dedication rate, water rights, source water, storage, distribution infrastructure, phasing, timing, and additional benefits to the District.

Chairman Stratford concluded that the Board had discussed the matter sufficiently for the day. Cameron stated that ColeWest would prepare a proposal. Chairman Stratford invited the representatives to remain for the remainder of the meeting.

Pleasant Plains Presentation attached as Exhibit A

8. Staff and Board Comments

Mayor Shuman: No comment.

Mayor Bolos: No comment.

Mayor Syme: Thanked everyone for remaining level-headed during the discussion. He stated that the Board needs to remain focused on the District and make decisions that protect Bona Vista and its customers.

Mayor Meyer: Thanked the Board and stated that the discussion was productive. He said that reviewing the proposal further would not hurt the District and that, given concerns about future water availability, the District should remain open to evaluating potential options. He suggested that engineers and attorneys should be involved in further review if the proposal moves forward.

Kenny Hefflefinger: No comment; thanked the attendees.

Greg Seegmiller: No additional comment.

Matt Fox: Thanked the Board and ColeWest for the discussion.

Quint: Thanked the Board for taking the time to discuss the proposal.

Chairman Stratford: Stated that although attendees may have arrived with different concerns or preconceived ideas, he felt the discussion had been productive and that there were additional matters to discuss.

9. Adjournment

Motion: Mayor Bolos

Second: Mayor Stratford

Vote: Unanimous Ayes – Bolos, Syme, Meyer, Stratford, Shuman

Result: Motion carried.

Draft Minutes Submitted By:

Shauna Gilchrist

District Clerk / Administrative Manager

Date Submitted: September 25, 2026

EXHIBIT A

Culinary Water Rights Dedication

Pleasant Plains Ranch Master Planned Community

Presented to the Board of Trustees | Bona Vista Water Improvement District
Cole West Land Company | August 2026

THE REQUEST

Why are we here?



Pleasant Plains Ranch History

- Landowners began discussions with district 4 years ago
- Outcome of 2025 discussions required no Water Rights dedications if secondary water needs were satisfied elsewhere
- Easement granted with no consideration
- A portion of property already annexed
- Resolution passed in 2026 requiring new rights dedications to annex

THE DISTRICT'S SUPPLY POSITION

Bona Vista Water Sources and Uses

Source	Water Right (AF/yr)	2023 Production (AF)	2018–2023 Average (AF)
Harrisville Well	107.94	0	0
Plain City Well	260.62	0	0
Farr West Well	4,008.68	0	137.2
North Ogden Spring	386.10	161.00	133.9
Water rights the District owns	4,763.34	161.00	271.1
Weber Basin — purchased		3,537.00	3,424.1
Ogden City — purchased		1,419.00	1,204.8
Purchased access	5,236	4,956.00	4,628.9
Total delivered	9,999	5,117.00	4,900.0

Two of the District's four owned sources — the Harrisville Well and the Plain City Well — have produced nothing in any year from 2018 through 2023. Pleasant Plains Ranch sits within Plain City.

Source: Bona Vista Water Improvement District Water Conservation Plan, November 2024, prepared by J-U-B Engineers — Table 2 (water rights) and Table 3 (annual production from water sources). Purchased access of 5,236 AF is the combined Weber Basin and Ogden City figure stated in that plan.

4,763 AF

of water rights the District owns

271 AF

average annual production from them,
2018–2023 — 5.7% of the rights held

94.5%

of all water delivered over the period
was purchased from Weber Basin
and Ogden City

What Cole West will bring to the District

- ✓ A dedicated well site
- ✓ Land for treatment and transmission
- ✓ Water Rights dedication with each residential plat & commercial site
- ✓ Proportionate share of storage, transmission
- ✓ Long term financial stability (~\$30M through buildout, \$2M recurring thereafter)

THE REQUEST

What we are asking the Board to do:

Ask the Division of Drinking Water to reconsider the District's sizing standard.

The District's standard was set in March 2023 on a data window ending in 2022, and it includes a variability factor that DDW removed from its guidance three months later. The determination letter provides for reconsideration every three years or on request. It is now over three years old. A reconsideration costs the District nothing and lowers its own compliance obligation.

0.25

PROPOSED DEDICATION RATE

The District's own five-year mean source water per ERC. Not a Cole West figure.

0.34

CURRENT STATED RATE

2020 source water per ERC of 0.284, times an optional 19% factor.

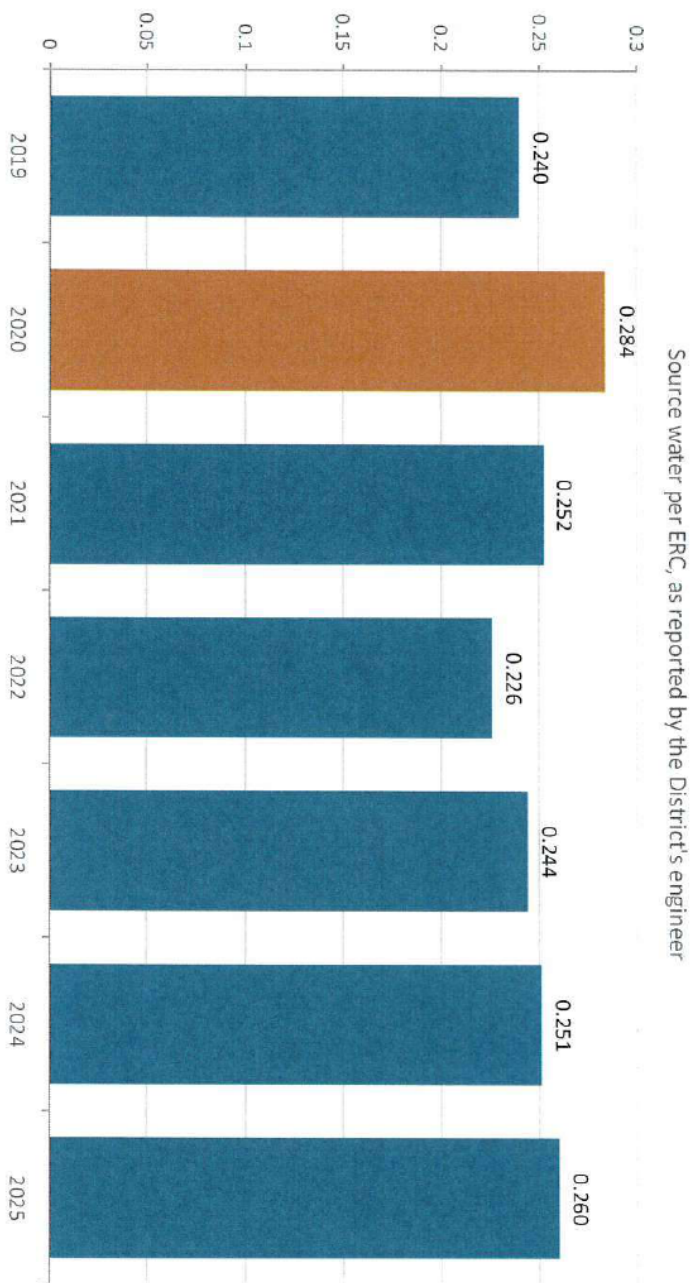
315 AF

THE DIFFERENCE

Across 3,500 residential connections: 875 acre-feet rather than 1,190.

ELECTION ONE

The current standard anchors on 2020



0.284
2020, the only year above 0.26

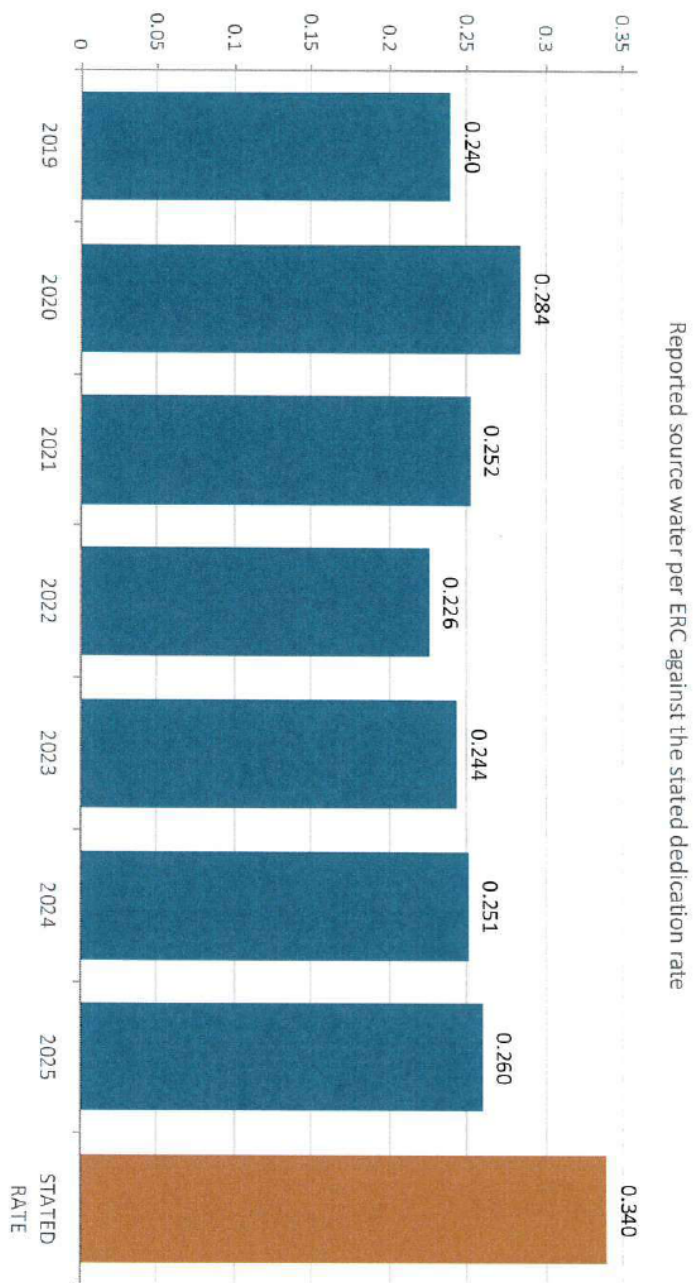
0.247
five-year mean, 2021-2025

+16%
system growth since 2020
18,817 to 21,843 ERCs

Figures reproduced exactly from the District's July 2 presentation.

ELECTION TWO

The 19% variability factor produces a figure never observed



+20%
above the highest year
ever recorded

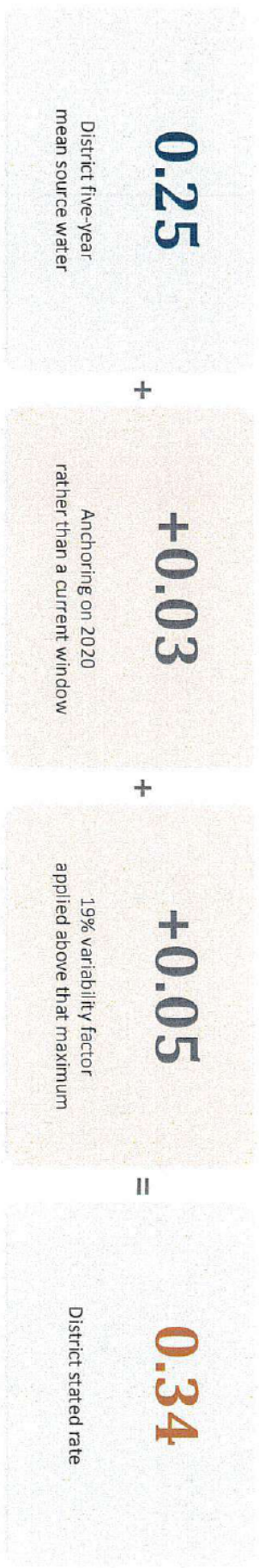
June 2023
DDW removed the factor
as a requirement

March 2023
date of the District's
determination letter

Source: Utah DEQ, System Sizing and Capacity Evaluation — changes to the Detailed Guidance approved June 28, 2023.

THE GAP

0.34 rests on two discretionary choices

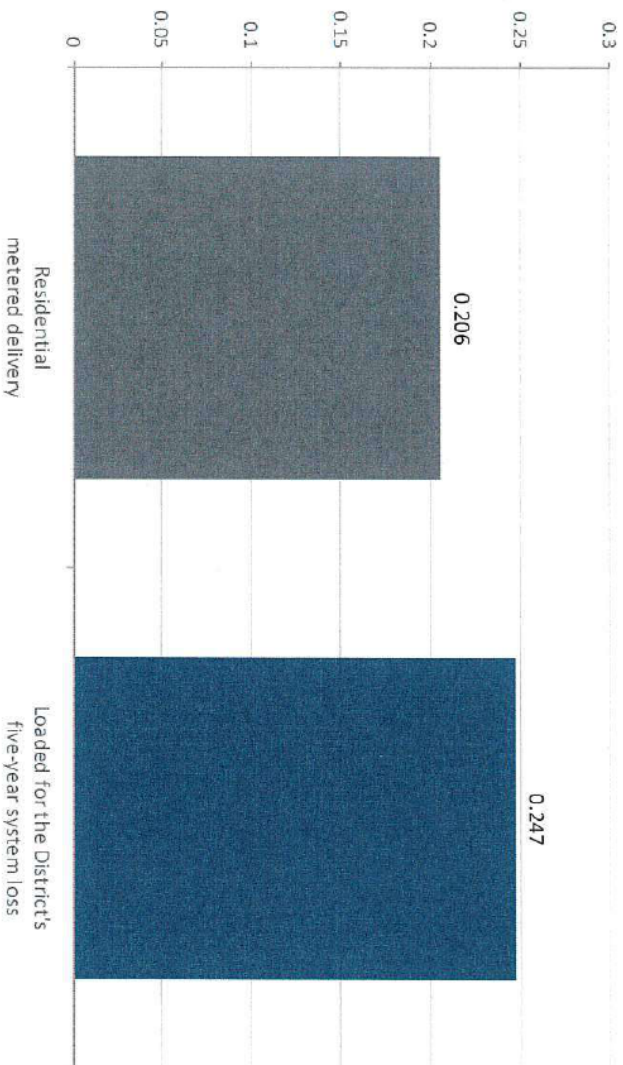


Neither choice is required by rule.

Reconciliation: $0.25 + 0.033 + 0.054 + 0.003$ rounding = 0.34.

From metered delivery to 0.25

Two steps, both from the District's own reported data



0.206

9,474 AF delivered to 45,972 residential connections, 2021-2025 pooled. Commercial and industrial excluded from both sides.

÷ 0.8356

The District's own five-year system loss of 16.44%, applied without adjustment.

0.247

Identical to the District's own five-year mean source water per ERC. Proposed at 0.25.

RESULT

Where the analysis lands

0.25

Cole West
proposed

0.34

District
stated

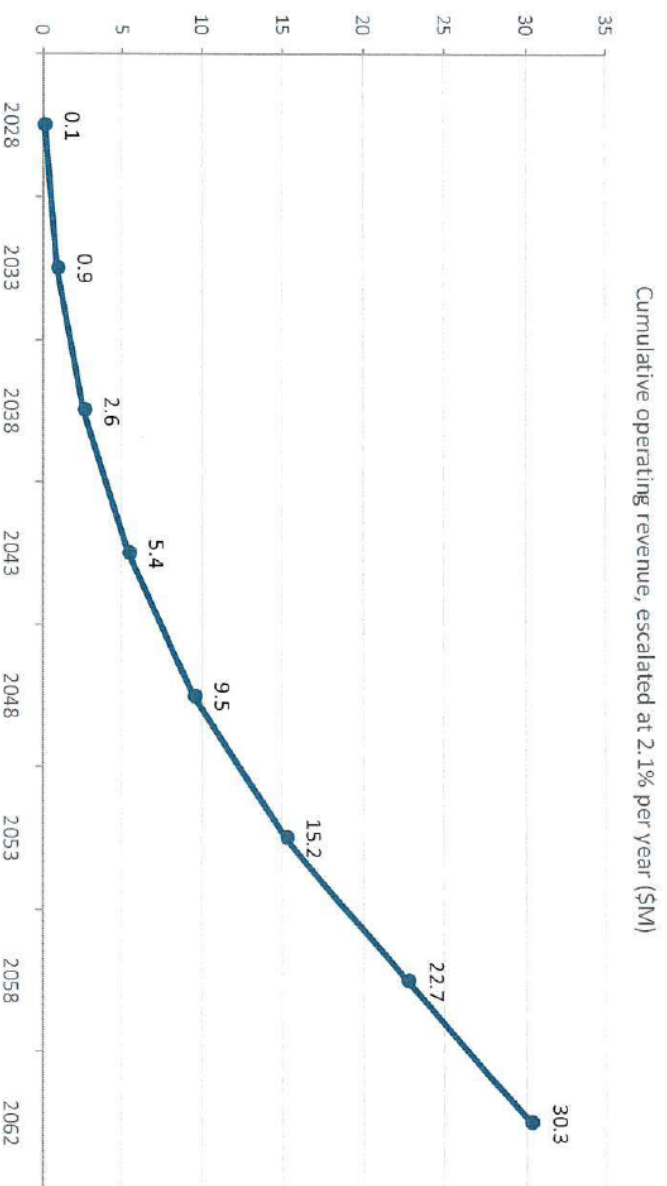
0.206

Residential
metered

0.247 0.266
SUPPORTED RANGE

WHAT THE PROJECT DELIVERS

Operating revenue through buildout



\$30.3M

operating revenue through
buildout, 2028-2062

\$2.0M

recurring annually once
the project is complete

+34%

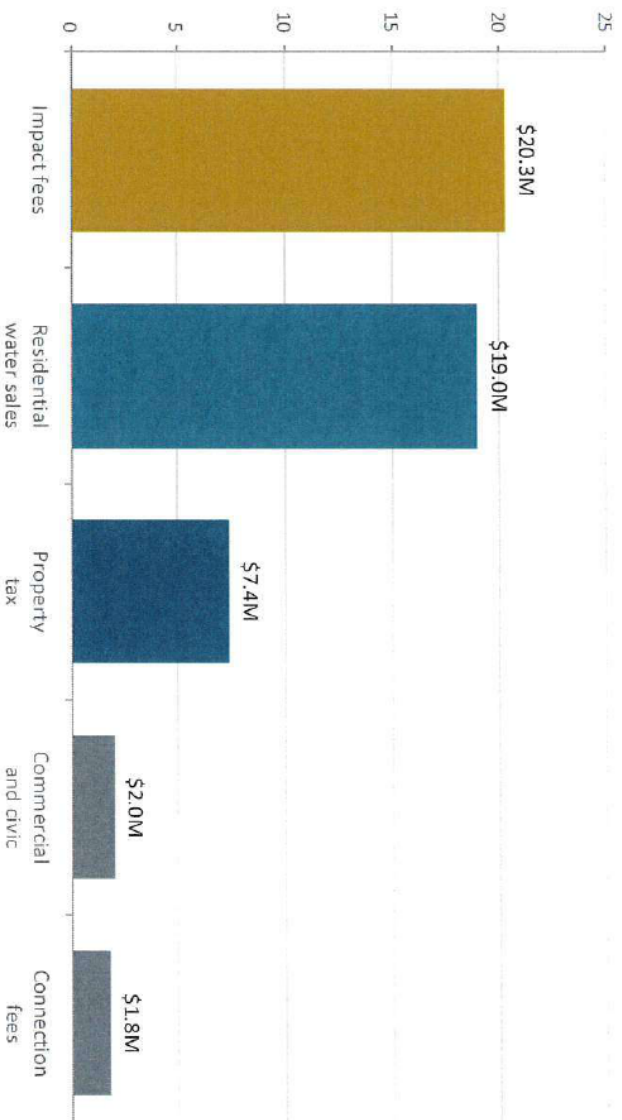
increase in the District's
connection count

Water sales, property tax, connection fees and commercial accounts. Excludes impact fees, which are addressed separately. Built from the District's published 2024 rate schedule and 2025 adopted budget; absorption of 100 homes per year from 2028.

WHAT THE PROJECT DELIVERS

Where the value comes from

Value delivered through buildout, escalated (\$M)



\$20.3M in cash or in kind

Impact fees fund system improvements. Where Cole West builds those improvements, the Impact Fees Act requires a credit against the fee. Either way the District receives the value — and receives it as each phase is built rather than as fees arrive over 35 years.

\$30.3M not subject to offset

Water sales, property tax, commercial accounts and connection fees are operating revenue. None of it is creditable against infrastructure and none of it depends on how the construction question is resolved.

THE ASK

Request reconsideration from the Division

Determination issued

March 16, 2023

Data window

Reporting years ending 2022

Variability factor removed from DDW requirements

June 28, 2023

Reconsideration available

Every three years, or upon request

Age of the standard today

Three years, five months

Cole West will fund the engineering supporting the request and will accept whatever standard the Division sets.

Thank You!