



Our Water. Our Future. Our Choice.

The purposes of the District include planning for and facilitating the long-term conservation, development, protection, distribution, management, and stabilization of water rights and water supplies for domestic, irrigation, power, manufacturing, municipal, recreational and other beneficial uses, including the natural stream environment, in a cost-effective way to meet the needs of the residents and growing population of Cache County.

www.cachewaterdistrict.com

CACHE WATER DISTRICT BOARD OF TRUSTEES MEETING MINUTES

February 7, 2022

The Cache Water District Board of Trustees convened for a regular meeting on Feb. 7, 2022, at 5:30 p.m. in the Cache County Historic Courthouse Council Chambers, 199 North Main Street, Logan, Utah.

MEMBERS OF THE BOARD IN ATTENDANCE:

Scott Clark - Logan #2 Council District
Jared Clawson – At-Large Position
Shaun Dustin – Southeast Council District
Jonathan Hardman – South Council District
Kirt Lindley – At-Large Position
Max Pierce – North Council District
Bret Randall – Northeast Council District
Brett Roper – At Large Position
Jeannie Simmonds – Logan #1 Council District

MEMBERS OF THE BOARD EXCUSED:

Don Baldwin – Agricultural Representative
Herm Olsen – Logan #3 Council District

OTHERS IN ATTENDANCE:

Nathan Daus (Manager), Chris Slater (JUB Engineers), Mike Wilson (Sunrise Engineering), Chip Marce, Debbie Zilles

CALL TO ORDER

The meeting was called to order by Chairman Hardman at 5:30 p.m.
Consideration for minutes from January 3, 2022, and agenda for February 7, 2022

ACTION: Motion by Mr. Randall to approve the agenda and the minutes as submitted. Seconded by Mr. Pierce. The motion was approved unanimously.

PUBLIC COMMENT

There were no public comments.

FINANCIAL REPORT

-Attachment 1-

Ms. Simmonds handed out and reviewed the Profit & Loss statement for Jan-Dec 2021. The register balance as of 12/31/21 was \$454,019.24. A payment from Cache County for \$25,665.36 was received and recorded on 01/10/22.

CALENDAR EVENTS

- Feb. 21 – APO Subcommittee @ 5:30 p.m.
- Feb. 28-Mar. 4 – Rural Water Assoc. Annual Conference – St. George
(Nate, Max, B. Randall will be attending)
- Mar. 11 – Ag. Water Optimization @ 10:00 a.m.
- Mar. 16 – Northern Utah Mini Water Conference – Cache Event Center
- Mar. 21-23 – Utah Water Users Workshop – St. George
- Mar. 29 – Spring Runoff Conference
- Mar. 25-26 – Home & Garden Show – Eccles Ice Center
There was a brief discussion about the need to be there and what should be addressed. This is a good opportunity for education. Sign-ups for the summer water check program will be available.

MANAGER'S REPORT

Update on PL-566 Projects

Logan River Watershed – currently meeting with co-sponsors regarding which preferred alternative will move forward (stormwater, flood control, or irrigation).

Wellsville-Mendon is moving forward.

Both projects will have draft EAs ready for review early-mid summer, with the next public participation portion this fall.

An application for Porcupine Irrigators has been submitted but have not heard back from NRCS yet.

The Executive Committee met a few weeks ago. There is a difference in the identified water supply demand in the CWD Master Water Plan and the state's plan. It was

Chairman Hardman said the state's plan indicates that Cache Valley will not need any water until 2060, which may not be an accurate assessment. Mr. Daugs said the state plan was updated and released last fall. Chairman Hardman said there is a need to compare what the discrepancies are; Mr. Daugs agreed and said that it did not account for any environmental needs. Mr. Clark believes this is a good step forward. Mr. Roper would like the questions to be specific.

ACTION: Motion by Mr. Randall to authorize JUB to move forward with a comparison study and applicable amendment to the Master Plan, not to exceed a cost of \$7,000. Seconded by Mr. Clawson. The motion was approved unanimously (9-0).

Aye: Clark, Clawson, Dustin, Hardman, Lindley, Pierce, Randall, Roper, Simmonds
Absent: Baldwin, Olsen

Mr. Daugs confirmed for Mr. Roper that this will not require getting bids because JUB Engineering is the author of the original document and this will be an amendment to that document.

Benefits of Bear River Study

Mr. Daugs explained that it is important to collect data that will provide a complete fact sheet to compete against the data included in the benefit information regarding the Great Salt Lake. It may be beneficial to do an RFP to have a study done. He believes there may be other agencies in the area who would be willing to help fund the study.

Ms. Simmonds suggested having the University do something. Mr. Daugs said they could submit a proposal, however, sometimes they have higher overhead costs.

Mr. Dustin said it might be wise to consider beginning with a broad view with publicly available information that might be completed sooner. He also suggested determining who the audience of the study will be and how much information will be useful.

Ms. Simmonds suggested creating a package that illustrates the fact that the local environmental and agricultural benefits are as great, or possibly greater than, those of the Great Salt Lake.

Mr. Clark said it might be wise to begin locally and it can be broadened if/when necessary.

Mr. Dustin would be happy to help put together the RFP.

Mr. Roper can help research information that is currently available.

Mr. Clark said this is a proactive approach to help represent the needs of the Valley without getting into a competitive battle with the Great Salt Lake. This information will be helpful in the overall consideration.

Action Item: Mr. Daug's and Mr. Dustin will work on creating an RFP to present to the Board on the March 7 meeting. Mr. Roper will do some literature review of information.

Mr. Baldwin's position on the Board is open and will close on 2/15/22. There are currently two candidates. The County Council will choose the replacement at their 2/22/22 meeting.

2022 Board Election. The current filing deadline is March 7-11, however, that date may change through the legislation. Current positions up for re-election are Jon Hardman, Kirt Lindley, Bret Randall, Shaun Dustin and Herm Olsen.

Current Water Legislation

H.B. 33 Instream Water Flow Amendments (Sponsor: Rep. Joel Ferry) – provides that certain entities/individuals may file a change application to provide water for an instream flow or for use on sovereign lands; amends the process by which a change application for instream flow or use on sovereign lands is considered and makes technical and conforming changes. Mr. Clark said this will allow for more flexibility; Mr. Daug's agreed and noted that the hardest part will be the implementation.

H.B. 37 State Water Policy Amendments (Sponsor: Rep. Keven J. Stratton) – includes recharge of aquifers as part of the state water policy.

H.B. 95 Landscaping Requirement Prohibition (Sponsor: Rep. Raymond Ward) – Prohibits certain government or private entities from requiring a property owner or resident to plan or maintain lawn or turf. Mr. Daug's said the local chamber is against this bill because they want the control to be at the local level.

H.B. 121 Water Conservation Modifications (Sponsor: Rep. Robert Spendlove) – imposes requirements related to water conservation at state government facilities and by state agencies; provides for incentives to replace lawn or turf with drought-resistant landscaping; grants rulemaking authority; requires the Legislative Water Development Commission to study water conservation in the state.

H.B. 135 Open & Public Meeting Comment Requirements (Sponsor: Rep. Brady Brammer) – requires a public body holding an open meeting to allow a reasonable opportunity for the public to provide verbal comment at the meeting and requires a public body to adopt a resolution, rule or ordinance allowing public comment in a public meeting.

Action Item: Mr. Daug's will check with the County about the possibility of having meetings available online.

H.B. 242 Secondary Water Metering Amendments (Sponsor: Val Peterson) – addresses definitions; imposes requirements related to metering pressurized secondary water; provides for penalties for failure to comply with metering requirements; provide for grants to fund metering of certain pressurized secondary water services; addresses rulemaking authority; and makes technical changes.

Mr. Daus said this moves the deadline to have secondary fully metered by 2029, it also provides grant money (which is reduced each year). Anything not metered by 2030 will be fined (gradually increased). The local chamber is opposed.

ACTION: Motion by Mr. Clawson to have Mr. Daus submit an official opposition to the bill as currently written, specifically with the change of shortening the timeline and the fact that it is a disadvantage to smaller communities. Seconded by Mr. Clark. The motion was approved unanimously (9-0).

Aye: Clark, Clawson, Dustin, Hardman, Lindley, Pierce, Randall, Roper, Simmonds

Absent: Baldwin, Olsen

The Board agreed to let the Executive Committee appropriately respond, on behalf of the Board, to any legislation that comes up before the next meeting.

APO REPORTS

Secondary Irrigation – Brief report given by Max Pierce

Water Banking – Brief report given by Kirt Lindley

BEAR RIVER DEVELOPMENT RESOLUTION

-Attachment 3-

The latest version of the resolution was reviewed by Nathan Bracken from Smith Hartvigsen. His recommendations included having good information about what is happening in closed-door meetings (having a lobbyist) and if this is sent down at this time, it might reignite the discussion. His suggestion would be to continue to work on this, hire a lobbyist and work with the Utah Division of Water Resources. Mr. Roper pointed out the need for continued transparency in all communication.

ACTION: Motion by Mr. Roper to continue discussion and review of this resolution as suggested by appointed legal counsel. Seconded by Ms. Simmonds. The motion was approved unanimously (9-0).

Aye: Clark, Clawson, Dustin, Hardman, Lindley, Pierce, Randall, Roper, Simmonds

Absent: Baldwin, Olsen

OTHER

Mr. Daus will work on setting up a time to meet with Candice Hasenyager, the Director of Utah Division of Water Resources.

The Board discussed and agreed that there should be discussion and consideration for hiring a lobbyist to begin working this by early this summer (possibly June) on local water concerns. Mr. Dustin suggested speaking with the County Executive, David Zook.

ADJOURN

The meeting adjourned at 7:00 p.m.

Next Meeting: Mar.7, 2022

-ATTACHMENT 1-

4:45 PM

02/07/22

Accrual Basis

Profit & Loss January through December 2021

	Jan - Dec 21
Ordinary Income/Expense	
Income	
PL-566 Watershed Grant	
NRCS	20,000.00
Total PL-566 Watershed Grant	20,000.00
Services	392,080.28
Wellsville Mendon Study	178,274.68
Total Income	590,354.96
Gross Profit	590,354.96
Expense	
Office	
Bank Charges	47.95
Insurance and Bonding	2,203.00
Office Supplies	567.21
Rent	6,750.00
Technology	
Cell Phone	635.22
Computer and printer	26.75
Total Technology	661.97
Total Office	10,230.13
Outreach	
Conservation	20,000.00
Dues	3,141.00
Sponsorships	200.00
Training	155.00
Website	261.68
Total Outreach	23,757.68
Personnel	
Salary and benefits	115,811.81
Travel and Mileage	7,005.42
Workers Compensation	996.81
Total Personnel	123,814.04
Professional Fees	
Administrative	693.00
Financial Services	686.75
Total Professional Fees	1,379.75
Project funding	
ASR Studies	153.64
Cloud Seeding	45,987.50
Water Studies	
PL566 Logan River	253,998.83
Wellsville/Mendon Irrigation	244,359.69
Total Water Studies	498,358.52
Total Project funding	544,499.66
Total Expense	703,681.26
Net Ordinary Income	-113,326.30
Net Income	-113,326.30

Cache Water District
Cache Water District, Period Ending 12/31/2021

RECONCILIATION REPORT

Reconciled on: 01/28/2022

Reconciled by: cwdtreasurer@gmail.com

Any changes made to transactions after this date aren't included in this report.

Summary

USD

Statement beginning balance	313,829.95
Checks and payments cleared (16)	-144,167.39
Deposits and other credits cleared (3)	252,914.92
Statement ending balance	422,577.48
Uncleared transactions as of 12/31/2021	31,441.76
Register balance as of 12/31/2021	454,019.24
Cleared transactions after 12/31/2021	0.00
Uncleared transactions after 12/31/2021	25,665.36
Register balance as of 01/28/2022	479,684.60

Details

Checks and payments cleared (16)

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
12/03/2021	Bill Payment	1283	JUB Engineers	-19,000.00
12/03/2021	Bill Payment	1284	JUB Engineers	-31,500.00
12/06/2021	Bill Payment	1290	Utah Local Governments Trust	-2,203.00
12/06/2021	Bill Payment	1289	Frandsen Civil Engineers	-39,575.25
12/06/2021	Bill Payment	1288	Nathan Daus	-570.08
12/06/2021	Bill Payment	1287	Public Employees Health Pro...	-5,828.07
12/06/2021	Bill Payment	1286	Debbie Zilles	-387.00
12/06/2021	Bill Payment	1291	Utah Local Governments Trust	-972.70
12/06/2021	Bill Payment	1292	Utah Local Governments Trust	-24.11
12/07/2021	Bill Payment	URS21-12	Utah State Retirement	-959.66
12/07/2021	Bill Payment	1293	Altabank	-854.63
12/08/2021	Bill Payment	HE21-12	Health Equity	-2.25
12/15/2021	Bill Payment	IRS21-12	IRS	-1,254.26
12/20/2021	Bill Payment	1294	Frandsen Civil Engineers	-34,408.75
12/20/2021	Bill Payment	1296	Public Employees Health Pro...	-1,942.69
12/31/2021	Bill Payment	PAY21-12	Nathan Daus	-4,684.94
Total				-144,167.39

Deposits and other credits cleared (3)

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
12/14/2021	Receive Payment		NRCS	50,500.00
12/14/2021	Receive Payment		Cache County 2021	201,457.92
12/14/2021	Receive Payment		PEHP	957.00
Total				252,914.92

Additional Information

Uncleared checks and payments as of 12/31/2021

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
01/21/2020	Journal	8		-6.00
09/13/2021	Bill Payment	1267	Altabank	-158.46
Total				-164.46

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
11/30/2020	Journal	9		106.22
11/18/2021	Deposit		NRCS	31,500.00
Total				31,606.22

Uncleared deposits and other credits after 12/31/2021

DATE	TYPE	REF NO.	PAYEE	AMOUNT (USD)
01/10/2022	Receive Payment		Cache County 2021	25,665.36
Total				25,665.36

-ATTACHMENT 2-

CACHE WATER DISTRICT RESOLUTION 2022-02

SUBJECT: Allocation of water through the Bear River Development Act

WHEREAS, the Cache Water District is the only elected water district in the Utah whose members represent a wide variety of interests across the county it serves.

WHEREAS, the Cache Water District was formed to plan for and facilitate the long-term conservation, development, protection, distribution, and management of water resources for domestic, irrigation, power, manufacturing, municipal, recreation, and other beneficial uses at a reasonable cost for Cache County, Utah.

WHEREAS, there are farmlands in Cache County where the irrigation season has been shortened; streams that run dry, affecting recreationists, property owners, and other values; there are reservoirs that lack water to store and sufficient depth to launch boats; and there are cities that have delayed development due to limited water supplies.

WHEREAS, the State of Utah authorized the Bear River Development Act (73-26-202-1) (the “**Act**”) to develop 220,000 acre-feet of water from the Bear River, with the Cache Water District and Bear River Water Conservancy District each receiving no more than 60,000 acre-feet a year and with the Jordan Valley Water Conservancy District and Weber Basin Water Conservancy District each receiving no more than 50,000 acre-feet a year.

WHEREAS, because the Bear River flows through the service areas of the Cache Water District and the Bear River Water Conservancy District, these districts can more efficiently and cheaply utilize water under the Act than the other districts.

WHEREAS, the cooperation of the Cache Water District’s constituent communities and land use authorities will be essential to the success of any water management involving the Bear River and Great Salt Lake.

WHEREAS, notwithstanding the significant contributions the Cache Water District can provide to the management of the Bear River System, the district has not been included in key discussions by the state and other water districts that may affect the water level of Great Salt Lake and therefore the use of the Bear River, including the proposed location of the White’s Valley Dam and Reservoir, which was selected prior to the district’s creation.

WHEREAS, the Bear River Development Report (2019, Volume 1, Table 5-1) concludes that Cache County has no current water needs, and our needs will remain low (< 5,000 acre-feet) until 2050. This is an inaccurate estimate given Cache Valley’s increasing population and consumptive uses and its failure to consider non-consumptive water values.

WHEREAS, the Cache Water District believes estimates of future demands of Cache Valley developed as part of the Bear River Development Plan were not thoroughly evaluated or accurately determined and need additional input from the Cache Water District.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE CACHE WATER DISTRICT:

The Cache Water District rejects the notion that there is sufficient water available to address the current water needs of the constituents and communities the district serves and represents.

1. The State of Utah must protect the 60,000 acre-feet (or the comparable percentage, 27% of the final allocation among districts) from the Bear River to the Cache Water District and store this water in a manner that minimizes economic burdens associated with conveying water to Cache Valley water users.
2. The Cache Water District rejects the selection of the White's Valley Dam and Reservoir site as the only feasible option for storage under the Bear River Development Plan until the state can demonstrate how this location benefits the citizens of Cache County.
3. Because the cooperation of the Cache Water District and its constituents will be critical to the effective management of the Bear River and Great Salt Lake, the State of Utah must seek the opinion of Cache Valley's residents as expressed through the Cache Water District before altering its allocation of water from the Bear River or developing a strategy to deliver this water to Cache Valley. This includes discussions concerning the level of Great Salt Lake because the outcome of those discussion could indirectly impact the water available from the Bear River.
4. The State of Utah and other decisionmakers should give considerable weight to the Cache Water District's Water Master Plan, which the District adopted to guide the management of the Bear River in Cache County, in the implementation of the Act and any other water management strategies involving the Bear River.
5. The Cache Water District stands ready to work in partnership with its fellow water districts, the State of Utah, and other stakeholders to manage the Bear River and Great Salt Lake effectively and wisely.