

RESOLUTION 2022-09-01

A RESOLUTION AMENDING FEE SCHEDULE

06 September 2022

Pursuant to the provisions of the Utah Revised Nonprofit Corporation Act, the directors (the "Directors") of the Smithfield Irrigation Company (the "Company") hereby adopt the following resolution proposed during a special meeting of the Board at which the requisite number of Directors were present:

WHEREAS the Articles and Bylaws of the Company provide that the authority to set the fees associated with services provided by the Company is vested in the Directors; and

WHEREAS the Directors have already set some of the fees, including the connection fees as detailed in Resolution 2015-08, dated August 11, 2015, and including the summary of fees detailed in Resolution 2016-06 dated June 07, 2016; and

WHEREAS the Directors deem it necessary to amend the existing fee schedule;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Directors amend the existing fee schedule and adopt the Summary of Fees as shown in Exhibit A.

All other fees not expressly addressed by this Resolution remain unchanged and in full effect.

PASSED, APPROVED, and ADOPTED by a majority vote of the Directors at its duly noticed meeting on September 6th, 2022.

Smithfield Irrigation Company

By: 
Pat Draper, President

Attest:



LuAnn Hansen, Secretary

EXHIBIT A TO RESOLUTION 2022-09-01

SMITHFIELD IRRIGATION COMPANY SUMMARY OF FEES

Fee Type	Amount
Class A Connection Fee	Included with System Share Fees
Class B Connection Fee ^{1 & 2}	\$475.00
Class C Connection Fee ^{1 & 2}	\$475.00
Class D Connection Fee ^{1 & 2}	\$475.00
Commercial, Industrial, Institutional, or Residential Connection Fee ^{1 & 2}	\$1,100.00
Certificate Transfer Fee	\$10.00 per certificate
Certificate Replacement Fee ³	\$50.00
Annual Account Fee	\$20.00
Late Fee	\$30.00
Share Rental from Banked Shares	2X Prior Year Class A Assessment
Records Requests ⁴	\$0.20 per page, minimum of \$5.00
Initial Fee per share– Request for Change Application ^{5 & 6}	\$1,000.00
Request for Change Application – for Change of Place of Use within Existing Service Area ^{5 & 7}	\$50.00
New Share Fee ^{5 & 6}	A fee equal to a proportionate share of the value of the existing facilities, as determined on a case-by-case basis by the Company at or near the time the new share is to be issued.
Encroachment Application Fee	\$1,000.00

- 1 In addition to the Connection fees, Members shall also pay the actual cost of connecting to system, including any required meters, engineering fees, system modifications or upgrades, using a company-approved contractor and supplies. When the shareholder is a Planned Unit Development or other similar development, metered main connection(s) will be required, sized at the discretion of the company. Any metering that may be required by the state within such development and reporting thereof will be the responsibility of the development as a private irrigation supplier.
- 2 New Connection Fees are charged on a per connection basis for Commercial, Industrial, Institutional and Residential connections, and on a per acre basis for Agricultural connections. Individual Non-Agricultural connections typically

include a 1" service line; any exceptions will be granted in consultation with the Watermaster and the system board member with consideration of lot size, system pressure, and capacity in the area. If a member desires to convert an existing agricultural connection to a residential connection, no connection fee is required for the first residential connection up to a 1-acre lot, however a meter is required for the residential portion of the property and the cost is the responsibility of the shareholder, including the cost of any additional equipment required to connect the meter to the meter network. Each lot will require a separate connection with shutoff valve. Payment of a connection fee is required for each additional residential connection per converted acre, on a per connection basis. Meters are required for any new or reactivated non-agricultural connections and will be billed in addition to any connection fees. System shares are assigned per connection within the E system and on an acreage basis in the B, C, and D systems.

- 3 In addition to the Certificate Replacement Fee, Members shall also pay any costs incurred by the Company beyond the Certificate Replacement Fee in the process outlined in Article IV.G. of the Bylaws before the replacement certificate is issued.
- 4 Requests for the Company's most recent annual financial statements (if any) and its most recently published financial statements (if any) are free of charge. Utah Code Ann. § 16-6a-1603(3) & -1606.
- 5 *See* Bylaws Art. XIV. The new shareholder(s) must also bear the cost of any additions or changes to the Company's facilities needed to provide the additional service.
- 6 *See* Bylaws Art. XV.D & E. The Member shall bear all additional costs associated with the change application, including but not limited to costs of submitting proof.
- 7 *See* Bylaws Art. XV regarding change in place of use within company service area.