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Telephone: (801) 413-1600

Attorneys for Applicant Lakeview Water Corporation

BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

In the Matter of Lakeview Water Corporation's Application for Approval to Expand its Service Area	APPLICATION FOR APPROVAL TO EXPAND SERVICE AREA Docket No. _____
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Applicant Lakeview Water Corporation ("**Lakeview**"), by and through its undersigned counsel, respectfully requests that the Utah Public Service Commission ("**Commission**") grant this Application for Approval to Expand Service Area ("**Application**"). Lakeview provides the following information in support of this Application:

INTRODUCTION

Lakeview's Public Utility Status

1. Pursuant to Utah Code Ann. § 54-2-1(24)(a) and (40), Lakeview is a "public utility" and/or "water corporation" subject to regulation by the Commission under Utah law.
2. Lakeview operates a culinary water system ("**Water System**") approved by the Utah Division of Drinking Water that serves water to the public within a portion of the newly incorporated Ogden Valley City in Weber County, Utah.
3. A map of Lakeview's current service area ("**Current Service Area**") is attached hereto as **Exhibit A.**)

4. Lakeview currently serves 351 equivalent residential connections which include 94 stand-by customer connections.

5. Lakeview's principal place of business is located at P.O. Box 314, Eden, Utah 84310.

6. Lakeview's current Tariff ("**LV Tariff No. 3**") has been in effect since October 1, 2023. No requests to increase Lakeview's rates have been made since that date.

Lakeview Water Rights

7. Lakeview is the record holder of approved Exchange Application E5608 (Water Right No. 35-13149) ("**Water Right**") through Weber Basin Water Conservancy District. (See copy of Water Right Data Printout, attached hereto as **Exhibit B.**)

8. The Water Right entitles Lakeview to divert a total of 303 acre-feet ("**af**") of water from wells based on storage in Pineview Reservoir for irrigation, domestic, municipal, industrial, power and stockwatering purposes. (See Ex. B.)

Lakeview Water System

9. The Water System is located just south of Pineview Reservoir along State Road 39 and Snow Basin Road in Ogden Valley City. The Water System can also be described as being located in Sections 13, 23, and 24 of Township 6 North, Range 1 East, Salt Lake Base and Meridian.

10. The Water System was first constructed in the 1960's.

11. Since that time, the Water System has been upgraded several times and currently includes the following components:

- 449,000 gallon concrete reservoir (South Side)
- 52,200 gallon concrete reservoir (South Side)
- 52,200 gallon concrete reservoir (West Side) (needs some repairs)
- Two (2) culinary water wells (collectively, the "**Wells**"):

- Well #1 (approved at 245 gallons per minute (“gpm”))
- Well #2 (approved at 310 gpm)
- Distribution System including 4”, 6”, 8”, and 10” PVC pipe, fire hydrants, pressure reducing stations, service laterals, and meters

12. The Water System’s total available source is two-thirds of the approved test pump rates for the Wells, which roughly equates to 501,200 gallons of active water storage and a flow rate of 370 gpm.

13. The total amount of storage currently allocated is 385.19 gallons and the total amount of flow rate currently allocated is 281.8 gpm.

14. The remaining storage capacity is 116,031 gallons and the remaining source availability is 88.2 gpm.

COMMISSION JURISDICTION

15. Pursuant to Utah Code Ann. § 54-4-1, Lakeview is subject to the Commission’s supervisory and regulatory jurisdiction over all public utilities within the State of Utah.

16. Under Utah Code Ann. § 54-3-3, a public utility may not expand its service area unless such expansion is approved by the Commission. *See also McMullin v. Public Service Commission*, 320 P.2d 1107, 1109 (Utah 1958) (noting that a public utility “could not, even by formal contract, have extended its service beyond its designated area without the approval of the Public Service Commission”).

EXPANSION OF SERVICE AREA

17. Lakeview wishes to expand its Current Service Area to provide water service (“**Connection Service Request**”) for two residential lots making up a portion the Smith Creek Subdivision (“**SCS Lots**”), which are located adjacent to but outside of the Current Service Area of Lakeview.

18. Lakeview seeks to add a total of two (2) water connections for the purpose of serving two (2) Single-Family Residential Dwellings and up to eight (2) Accessory Dwelling Units within the SCS Lots.

19. The owner of the Smith Creek Subdivision (“SC”) has agreed to construct all necessary additional infrastructure to extend the Water System to connect and serve the SCS Lots at SC’s sole cost. SC has also agreed to pay any incidental costs incurred by Lakeview related to the expansion of the Current Service Area of Lakeview. Current customers of Lakeview will not bear any expansion cost.

20. The SCS Lots may not be connected to the Water System unless and until the Commission approves this Application to expand the Current Service Area of Lakeview to include the SCS Lots.

21. SC’s Connection Service Request entails the annexation of 6.954 acres of platted land to Lakeview’s Current Service Area. This entire 6.954 acres is owned by SC and only the 2 water connections may be added within the SCS Lots. (A copy of a Plat showing the proposed expansion area is attached hereto as **Exhibit C.**)

22. The total developed water source required for the Water System to serve the SCS Lots is 78.056 gpm, 37,929 gallons of storage, and 180,000 gallons of fire-protection storage.

23. At present, Lakeview’s Water Right and Water System have sufficient capacity to serve the SCS Lots.

GROUND FOR COMMISSION APPROVAL

24. Lakeview’s request to expand its service area (“**Service Area Expansion Request**”) fully satisfies all necessary criteria for Commission approval of such request. Indeed, five principal criteria legally justify Commission approval of the Service Area Expansion Request.

25. First, Lakeview's Water Right is more than sufficient to provide water for the SCS Lots and its two (2) new connections. Thus, adding the SCS Lots to Lakeview's Current Service Area will not cause existing customers to suffer or experience any decline or reduction in the quantity or quality of water service currently provided by Lakeview.

26. Second, the Water System has sufficient facilities and capacity to provide additional service connections. As noted above, Lakeview has capacity for two (2) new connections to the Water System. Accordingly, the Water System will have sufficient facilities to add the SCS Lot's two (2) additional service connections within the Proposed Expansion Area.

27. Third, adding the SCS Lots to the Current Service Area will not be detrimental to Lakeview's existing customers. The Water System contains sufficient underused capacity so as to avoid any reduction or impairment in the quality and efficiency of treatment services currently provided to existing customers. Thus, expansion of the Current Service Area to include the SCS Lots will not disadvantage, inconvenience, burden, or harm Lakeview's existing customers in any manner.

28. Fourth, expansion of Lakeview's Current Service Area will not adversely impact Lakeview's current approved rates under LV Tariff No. 3. Because the Water System contains sufficient underused capacity to add additional service connections, Lakeview's current approved rates will not be increased by the inclusion of the SCS Lots within Lakeview's Current Service Area. The mere expansion of the Current Service Area will not require any change in Lakeview's approved service rates under LV Tariff No. 3.

29. And fifth, the expansion of Lakeview's Current Service Area will provide a benefit to its customers. The addition of two (2) new connections will increase the revenue to Lakeview and allow it to take advantage of economies of scale.

CONCLUSION

Based on the foregoing, Lakeview requests the Commission grant and approve this Application and thereby allow Lakeview to expand its Current Service Area to include the SCS Lots and its two (2) new connections.

RESPECTFULLY SUBMITTED this 27th day of February 2026.

SMITH HARTVIGSEN, PLLC

/s/ J. Craig Smith

J. Craig Smith

Jennifer Bowen-Crockett

Attorneys for Applicant

Applicant's Address:

Lakeview Water Corporation

c/o J. Craig Smith and Jennifer Bowen-Crockett

SMITH HARTVIGSEN

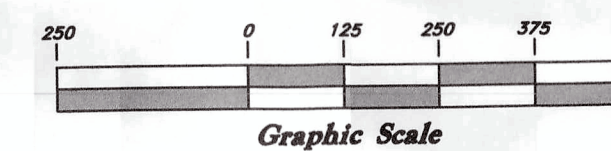
257 East 200 South, Suite 500

Salt Lake City, Utah 84111

EXHIBIT A
(Current Map of Service Area)



Scale: 1" = 250'



WATER DISTRICT BOUNDARY
WATER LINE
WATER METER
WATER VALVE
FIRE HYDRANT

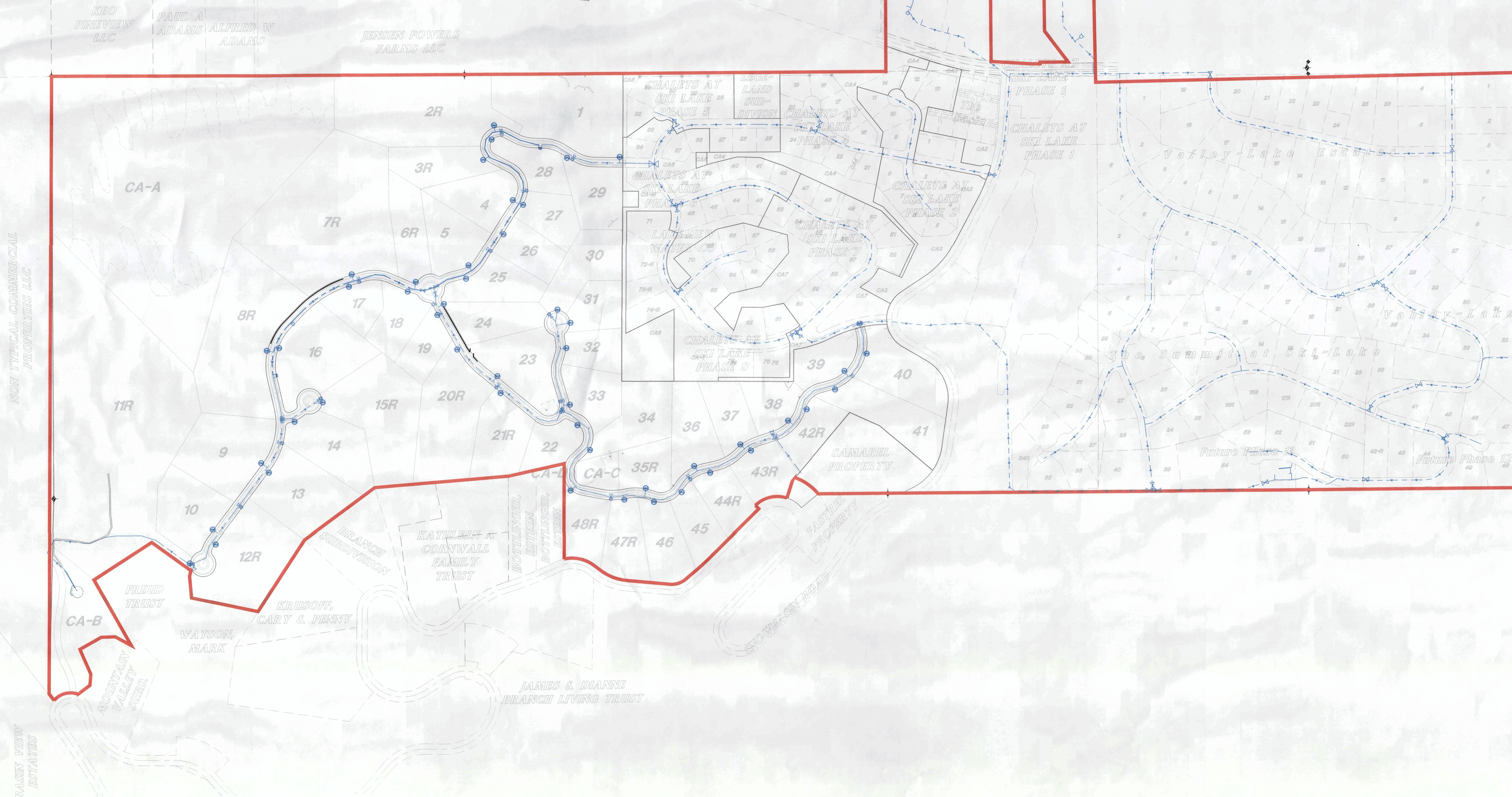


EXHIBIT B
(Water Right Data Printout)

Exchange Details for E5608

Utah Division of Water Rights

11/22/2025 3:04 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Exchange: E5608 (35-13149)

Base Water Right Number: 35-827

General:

Status: Approved	Stock/Contract #:	
County Tax ID: N/A		
Right Evidenced By: U.S. Bureau of Reclamation and Contract with Weber Basin Water Conservancy District under 35-827 (A27608)		
Proposed Det. Book: 35-	Map:	Pub. Date:
Distribution System: 35: OGDEN RIVER		

Water Company:

Water Company/District associated with this Exchange:
Weber Basin Water Conservancy District

Owners:

Name: Lakeview Water Corporation	Interest:
Address: PO Box 314 Huntsville, UT 84317	
Remarks:	

Dates:

Filing:	Filed: 08/04/2016	Priority: 08/04/2016	
Advertising:	Publication Began: 09/08/2016	Publication End: 09/15/2016	Newspaper: Standard Examiner
	Protest End Date: 10/05/2016	Protested: Not Protested	Hearing Held:
Approval:	State Eng. Action: Approved	Action Date: 02/28/2017	
	Recon. Req. Date:	Recon. Req Type:	
Certification:	Proof Due Date: 02/28/2031	Extension Filed Date:	
	Election or Proof:	Election/Proof Date:	
	Cert./WUC Date:	Lapsed, Etc. Date:	Lap. Ltr. Date:
Wells:	Prov. Well Date:	Most Recent Well Renovate/Replace Date: 03/25/2025	

--- Current Right ---

Current General:

Quantity of Water: 303 ACFT
Source: Pineview Reservoir
County: Weber

Current Points of Diversion:

Points of Diversion - Surface:

(1) N 1699 ft. E 603 ft. from S4 corner, Sec 16 T 6N R 1E SLBM

Diverting Works: Pineview Reservoir

Elevation:

Source: Ogden River

UTM: 429438.517, 4567331.171

Current Water Uses:**Other:**

Period of Use: 01/01 - 12/31

Description: Irrigation, domestic, municipal, industrial, power & stockwatering. Supplemtl.

--- Proposed Exchange ---**Proposed General:**

Quantity of Water - CFS: 0 And/Or: Acre Feet: 303

From: 01/01 To: 12/31

Source: Underground Water Wells (4) Existing

County: Weber

Common Description: SW of Huntsville

Proposed Points of Exchange:

Points of Exchange - Underground:

(1) N 1090 ft. W 474 ft. from E4 corner, Sec 23 T 6N R 1E SLBM

Well Diameter: 8 in.

Depth: 400 to ft.

Year Drilled:

Well Log:

Well Id#:

Elevation:

UTM: 433090.377, 4566295.927 (NAD83)

Source/Cmnt: Stoddard Well

(2) N 1183 ft. W 48 ft. from E4 corner, Sec 23 T 6N R 1E SLBM

Well Diameter: 6 in.

Depth: 500 to ft.

Year Drilled:

Well Log:

Well Id#:

Elevation:

UTM: 433220.222, 4566324.273 (NAD83)

Source/Cmnt: Peterson Well

(3) S 244 ft. E 1179 ft. from N4 corner, Sec 24 T 6N R 1E SLBM

Well Diameter: 12 in.

Depth: 250 to ft.

Year Drilled:

Well Log:

Well Id#:

Elevation:

UTM: 434414.711, 4566687.93 (NAD83)

Source/Cmnt: Bowden Well

(4) S 333 ft. E 1293 ft. from N4 corner, Sec 24 T 6N R 1E SLBM

Well Diameter: 10 in.

Depth: 300 to ft.

Year Drilled:

Well Log:

Well Id#:

Elevation:

UTM: 434449.458, 4566660.803 (NAD83)

Source/Cmnt: Mitchell Well

Proposed Points of Release:

Quantity of water: 0 cfs And/Or: 303 acft

Period of Use: 01/01 To 12/31

*** Location of Release Point(s) is the SAME as Point(s) of Diversion in CURRENT RIGHT above ***

Proposed Water Uses:

Proposed Water Uses - Group Number: 638425

Water Use Types:

Municipal: Lakeview Water Corporation

Period of Use: 01/01 to 12/31

Acre Feet Contributed by this Right for this Use: Unevaluated

Place of Use (which includes all or part of the following legal subdivisions or service areas):

In the service area of Lakeview Water Corporation

Proposed Use Totals:

Municipal sole-supply total: Unevaluated acft

Proposed General Comments:

The 303 acre-feet are composed of seven (7) contracts. They are:

41023 - 30 acre-feet

41024 - 60 acre-feet

41025 - 40 acre-feet

41026 - 50 acre-feet

41120 - 38 acre-feet

41121 - 78 acre-feet (agricultural water only) - 26 acres

41122 - 7 acre-feet (agricultural water only) - 2.3333 acres

Per Weber Basin Water Conservancy contract stipulations, 41121 and 41122 can only be used for agricultural purposes.

Extensions

Filed: 01/21/2022

Proof Due: 02/28/2031

Advertising:

Publication Began:

Publication End:

Newspaper: No Advertising Required

 Protested: Not Protested

 Hearing Held:

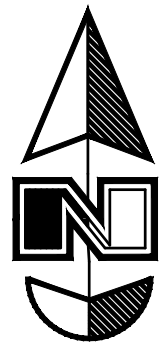
 Protest End Date:

Approval:

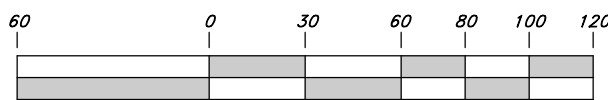
 SE Action: Approved

 Action Date: 08/04/2022

EXHIBIT C
(Preliminary Plat of Expansion Area)

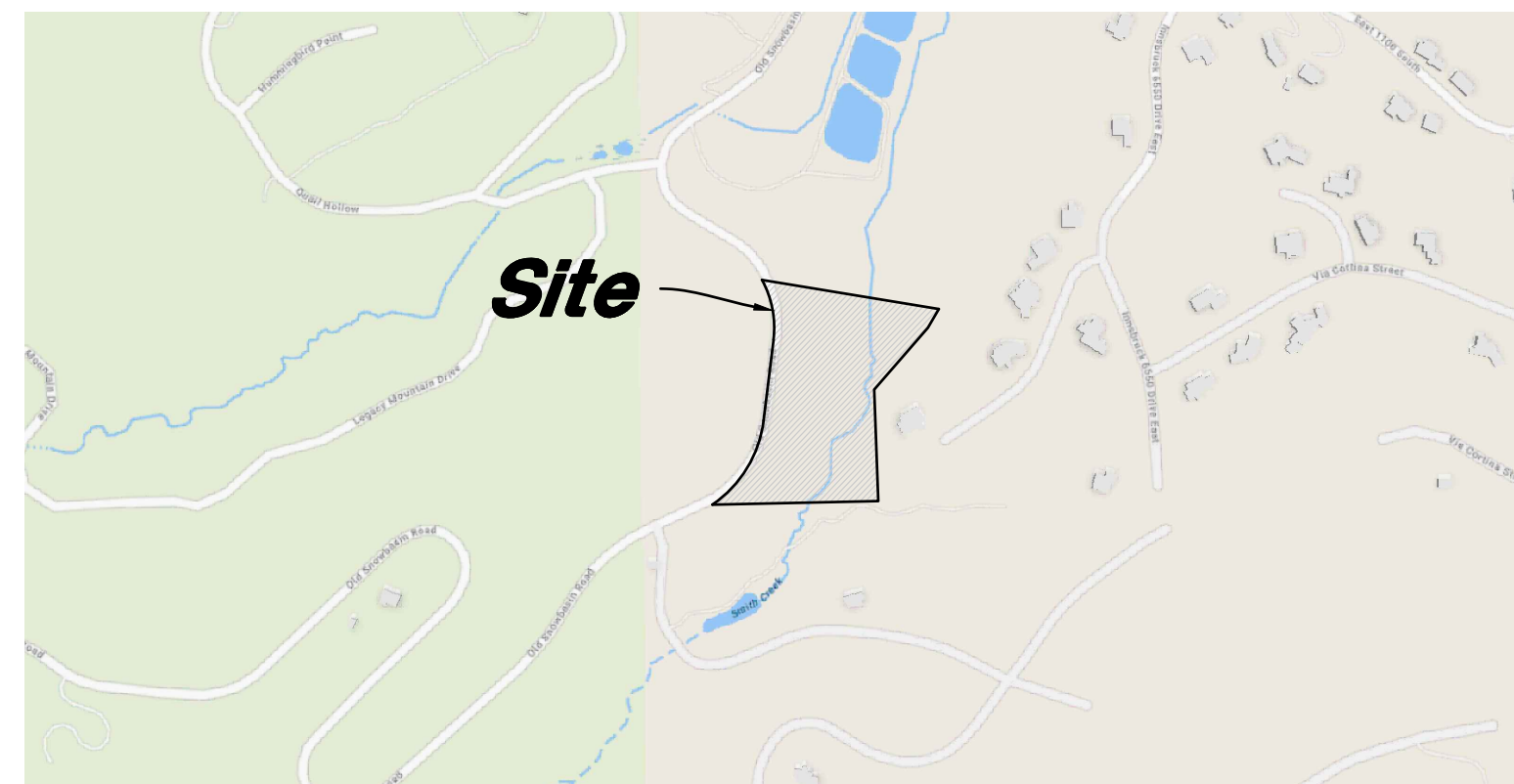


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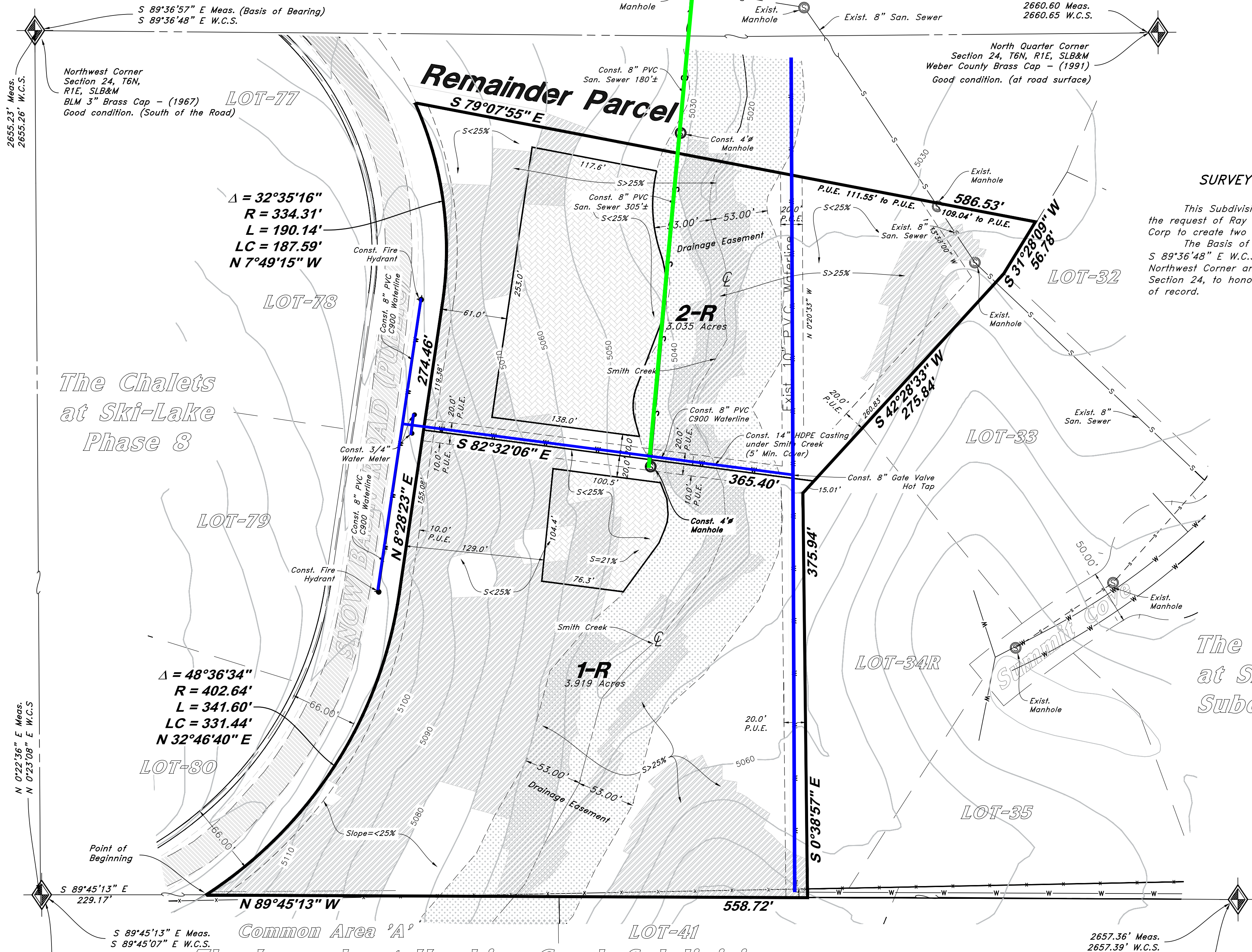


Graphic Scale

Preliminary Plat
Smith Creek Subdivision
A part of Section 24, T6N R1E, Salt Lake Base & Meridian, U.S. Survey
Weber County, Utah
July 2025



Vicinity Map
(Not to Scale)



SURVEYOR'S NARRATIVE

This Subdivision and Survey were done at the request of Ray Bowden of Mountain Sewer Corp to create two residential lots.
The Basis of Bearings for this Survey is S 89°36'48" E W.C.S., along a line between the Northwest Corner and North Quarter Corner of Section 24, to honor the surrounding subdivisions of record.

SURVEYOR'S CERTIFICATE

I, Ken B. Hawkes, do hereby certify that I am a Professional Land Surveyor in the State of Utah, and that I hold License No. 8707113 in accordance with Title 58 Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I also do hereby certify that this Plat of Smith Creek Subdivision, in Weber County, Utah has been correctly drawn to the designated scale and is a true and correct representation of the following description of lands included in said subdivision, based on data compiled from records in the Weber County Recorder's Office, and of a survey made on the ground in accordance with Section 17-23-17, Monumented Lot corners have been set as shown on this drawing.

Signed this _____ day of _____, 2025.

8707113
License No.

Ken B. Hawkes

DESCRIPTION

A part of the Northwest Quarter of Section 24, Township 6 North, Range 1 East, Salt Lake Base and Meridian, U. S. Survey, Weber County, Utah.
Beginning at a point on the Southerly right-of-way line of Snow Basin Road as it exists at 33.00 foot half-width, located 229.17 feet South 89°45'13" East along the Quarter Section line from the West Quarter Corner of said Section 24; and running thence along said Southerly right-of-way line the following three (3) courses: (1) Northeasterly along the arc of a 402.64 foot radius curve to the left a distance of 341.60 feet (Center bears North 32°55'03" West, Central Angle equals 48°36'34" and Long Chord bears North 32°46'40" East 331.44 feet) to a point of tangency; (2) North 8°28'23" East 274.46 feet to a point of curvature; and (3) Northwesterly along the arc of a 334.31 foot radius curve to the left a distance of 190.14 feet (Central Angle equals 32°35'16" and Long Chord bears North 7°49'15" West 187.59 feet); thence South 79°07'55" East 586.53 feet to the West line of Lot 32, The Summit at Ski Lake No. 8 Subdivision; thence along the West line of said subdivision the following three (3) courses: (1) South 31°28'09" West 56.78 feet to the Southwest corner of said Lot 32; (2) South 42°28'33" West 275.84 feet to the Northwest corner of Lot 34R; and (3) South 0°38'57" East 375.94 feet to the Quarter Section line; thence North 89°45'13" West 558.72 feet to the Southerly right-of-way line of said Snow Basin Road and the point of beginning.

Contains: 302,906 Sq. Ft. Or 6.954 acres

OWNER'S DEDICATION

We, the undersigned owners of the hereon described tract of land, hereby set apart and subdivide the same into lots as shown on this plat, and name said tract Smith Creek Subdivision and hereby dedicate to Weber County those certain strips designated as Public Utility Easements (P.U.E.) for public utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance, and operation of public utility service lines and drainage, as may be authorized by Weber County, with no buildings or structures being erected within such easements.

Signed this _____ day of _____, 2025.

Mountain Sewer Corporation

By: Ray Bowden
Its: _____

ACKNOWLEDGMENT

State of Utah } ss
County of }

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by _____ Ray Bowden of Mountain Sewer Corp _____.

Residing At: _____ A Notary Public commissioned in Utah
Commission Number: _____
Commission Expires: _____ Print Name

WEBER COUNTY SURVEYOR

I hereby certify that the Weber County Surveyor's Office has reviewed this plat and all conditions for approval by this office have been satisfied. The approval of this plat by the Weber County Surveyor does not relieve the Licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated therewith.

Signed this _____ day of _____, 2025.

Weber County Surveyor

OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

This is to certify that this subdivision plat was duly approved by the Ogden Valley Township Planning Commission

Signed this _____ day of _____, 2025.

Chair, Ogden Valley Township Planning Commission

WEBER COUNTY COMMISSION ACCEPTANCE

This is to certify that this subdivision plat, the dedication of streets and other public ways and financial guarantee of public improvements associated with this subdivision, thereon are hereby approved and accepted by the Commissioners of Weber County, Utah

Signed this _____ day of _____, 2025.

Chair, Weber County Commission

Notice of Purchases of Restricted 'R' Lots

Lots designated by the letter "R" after the lot number are restricted lots and building development on such lots is subject to the provisions of the Hillside Development Ordinance of Weber County. Approval of a Restricted Lot does not guarantee the lot as buildable. A Hillside Review as outlined in the Hillside Ordinance shall be done to determine if a lot is buildable.

WEBER COUNTY ATTORNEY

This is to certify that this subdivision plat was duly approved by the Weber County City Attorney

Signed this _____ day of _____, 2025.

Weber County Attorney

WEBER COUNTY ENGINEER

I hereby certify that the requirements of all applicable statutes and ordinances prerequisite to County Engineer approval of the foregoing plat and dedication have been complied with.

Signed this _____ day of _____, 2025.

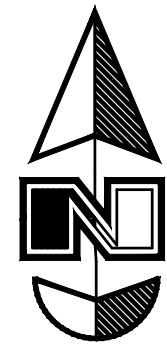
Weber County Engineer

WEBER COUNTY RECORDER

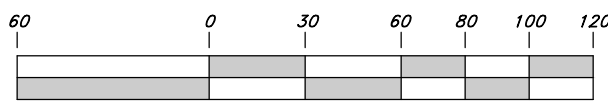
ENTRY NO. _____ FILED FOR RECORD AND
RECORDED _____, AT
_____ IN BOOK _____ OF OFFICIAL
RECORDS, PAGE _____, RECORDED
FOR _____

WEBER COUNTY RECORDER

By: _____
DEPUTY



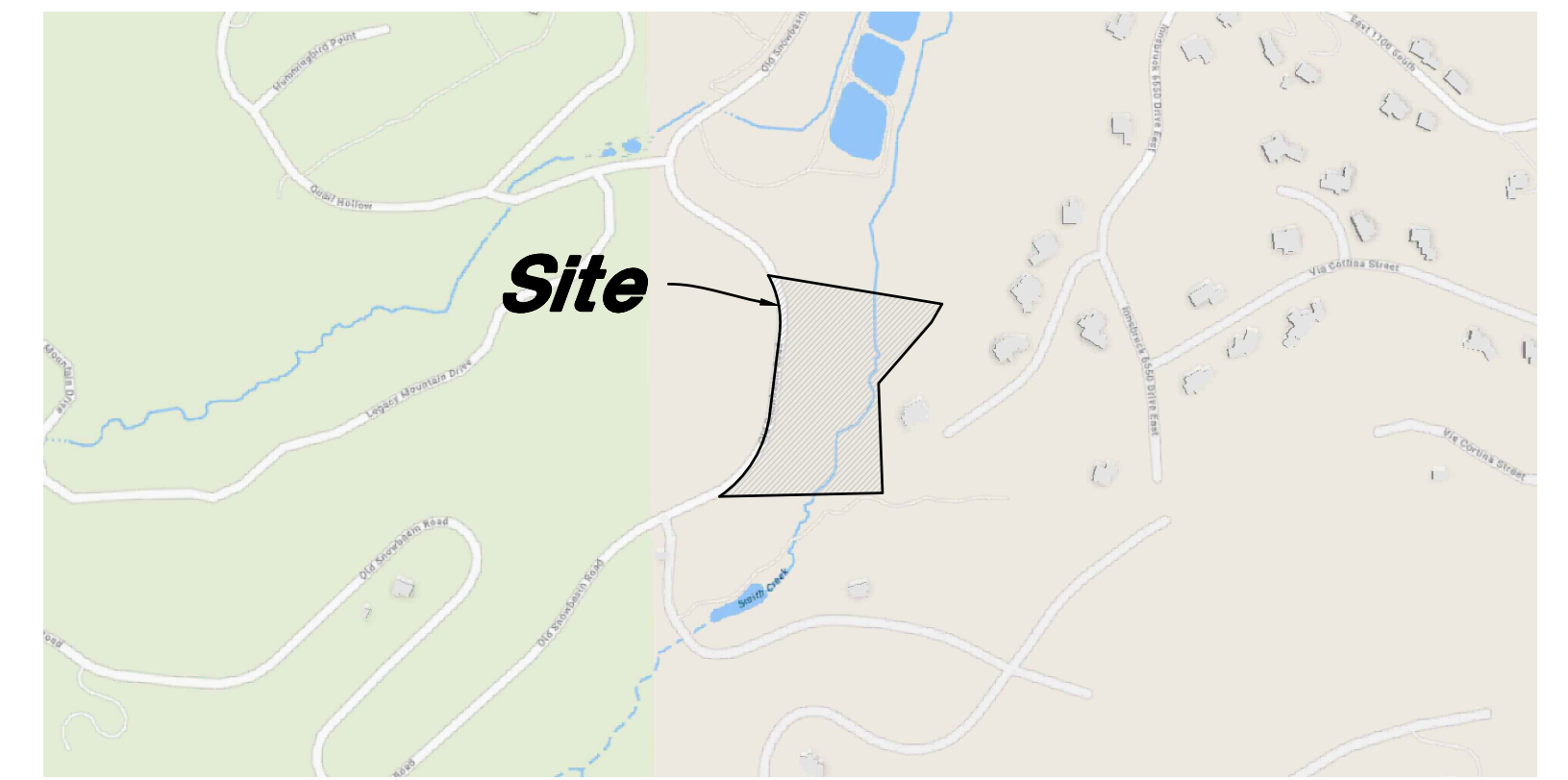
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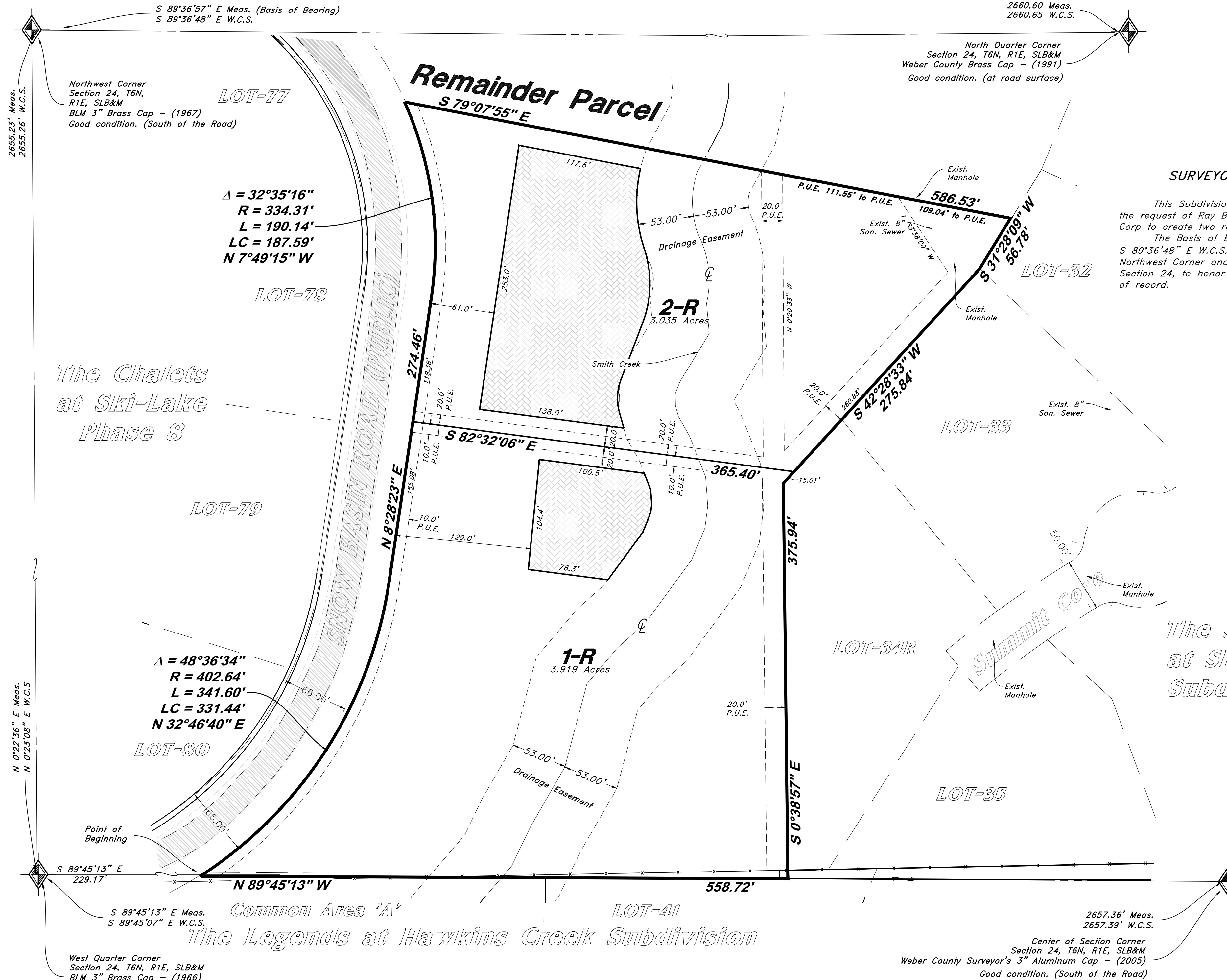
Graphic Scale

Smith Creek Subdivision

A part of Section 24, T6N R1E, Salt Lake Base & Meridian, U.S. Survey
Weber County, Utah
July 2025



Vicinity Map
(Not to Scale)



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License No.

Ken B. Hawkes

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Signed this _____ day of _____, 2025.

Mountain Sewer Corporation

By: Ray Bowden
Its: _____

ACKNOWLEDGMENT

State of Utah } ss
County of }

The foregoing instrument was acknowledged before me this _____ day of _____ 2025 by _____ Ray Bowden of Mountain Sewer Corp _____.

Residing At: _____ A Notary Public commissioned in Utah

Commission Number: _____

Commission Expires: _____ Print Name

WEBER COUNTY SURVEYOR

I hereby certify that the Weber County Surveyor's Office has reviewed this plat and all conditions for approval by this office have been satisfied. The approval of this plat by the Weber County Surveyor does not relieve the Licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated therewith.

Signed this _____ day of _____, 2025.

Weber County Surveyor

OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

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Signed this _____ day of _____, 2025.

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WEBER COUNTY COMMISSION ACCEPTANCE

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Chair, Weber County Commission

WEBER COUNTY ATTORNEY

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Weber County Attorney

WEBER COUNTY ENGINEER

I hereby certify that the requirements of all applicable statutes and ordinances prerequisite to County Engineer approval of the foregoing plat and dedication have been complied with.

Signed this _____ day of _____, 2025.

Weber County Engineer

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Lots designated by the letter "R" after the lot number are restricted lots and building development on such lots is subject to the provisions of the Hillside Development Ordinance of Weber County. Approval of a Restricted Lot does not guarantee the lot as buildable. A Hillside Review as outlined in the Hillside Ordinance shall be done to determine if a lot is buildable.

Legend

- Set Nail & Washer
- Set Rebar & Cap
- W/ Fencapost
- Set Hub & Tack
- Monument to be set
- Monument set by others
- W.C.S. Weber County Survey
- Found Section Corner
- P.U.E. Public Utility Easement
- Existing Asphalt
- Buildable Area
- Easement
- Centerline
- Property Boundary
- Lot Line
- Fence line
- OHP Overhead Power line



WEBER COUNTY RECORDER

ENTRY NO. _____ FILED FOR RECORD AND
RECORDED _____, AT
IN BOOK _____ OF OFFICIAL
RECORDS, PAGE _____, RECORDED
FOR _____

WEBER COUNTY RECORDER

BY: _____
DEPUTY