

FIFTH JUDICIAL DISTRICT COURT, IN AND FOR WASHINGTON COUNTY, STATE OF UTAH

CASE NO. 130500465 PR
JUDGE JAY T. WINWARD

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT YOU MAY BE ENTITLED TO RECEIVE A MONETARY REFUND

THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS. PLEASE READ IT CAREFULLY.

The Fifth Judicial District Court authorized this Notice. The Court has not yet ruled on the merits of Plaintiffs' claims or Defendant's defenses. This is not a solicitation from a lawyer.

WHAT IS THIS NOTICE ABOUT?

This Notice is to inform you of a **proposed settlement** in a class action lawsuit involving **water impact fees charged by the Washington County Water Conservancy District ("WCWCD" or the "District")**.

If you paid a **residential water impact fee** to WCWCD **between August 23, 2012 and December 31, 2017**, you may be a member of the Settlement Class and may be entitled to receive a partial refund if the settlement is approved by the Court and you submit a valid claim.

WHAT IS THE LAWSUIT ABOUT?

The lawsuit alleges that WCWCD charged residential water impact fees during the class period that were **greater than permitted by law**, including the Utah Impact Fee Act and the United States and Utah Constitutions. Plaintiffs seek a refund of the difference between what was paid and what should have been charged.

WCWCD denies all allegations of wrongdoing and contends that the impact fees were lawfully imposed and properly calculated.

The Court has not decided who is right. Instead, the parties have agreed to resolve the dispute through a proposed settlement, subject to Court approval.

WHY DID I RECEIVE THIS NOTICE?

WCWCD's records indicate that you, or an entity with which you are associated, **paid a residential water impact fee** (or incurred the cost of such a fee) during the class period and **did not previously opt out of the class**. In some transactions involving developers and subsequent purchasers, the Court-approved settlement administration process will determine which party is entitled to receive any refund.

WHAT DOES THE SETTLEMENT PROVIDE?

Under the proposed settlement:

- WCWCD has agreed to pay **\$17,000,000** into a settlement fund.
- The settlement fund will be used to pay:
 - Refunds to eligible class members,
 - Court-approved attorneys' fees and litigation costs,
 - Costs of notice and settlement administration.
- Class Counsel will apply to the Court for approval of attorneys' fees and costs. The attorneys' fees will not exceed 40% of the settlement fund after deducting approved costs.
- Any unclaimed funds will be handled in accordance with Utah law, including remittance to the Utah State Treasurer's Unclaimed Property Division, if required.
- Refunds will be distributed in accordance with a Court-approved allocation and administration process.

The estimated refund per residence for which an impact fee was paid is **approximately \$820 to \$1050**, though the actual amount may vary depending on Court-approved deductions.

HOW CAN I RECEIVE A REFUND?

YOU MUST SUBMIT A VALID CLAIM FORM TO RECEIVE A PAYMENT.

If the Court grants final approval of the settlement, you will be required to submit a Claim Form before a deadline to be set by the Class Administrator. Claim Forms will be available:

- By mail from the Class Administrator, and/or
- On the settlement website: <https://impactfeeclassaction.com/>

After the Class Administrator reviews and approves your claim, any refund will be issued by check. The Class Administrator may request additional information if necessary to determine entitlement to a refund for a particular impact fee payment.

WHAT ARE MY OPTIONS?

1. SUBMIT A CLAIM

If you submit a valid Claim Form, and are determined to be the person who bore the financial burden of paying the impact fee, you may receive a refund if the settlement is approved.

2. DO NOTHING

We will attempt to contact you again if the settlement is approved. If we cannot locate you or you refuse to provide a claim form:

- You will remain a Settlement Class Member;
- You will be **bound by the settlement**; and
- You will not receive a refund directly, but your share of the settlement proceeds will be submitted to the Utah State Treasurer's Unclaimed Property Fund

3. OBJECT TO THE SETTLEMENT

You may object to the settlement, the requested attorneys' fees, or other aspects of the settlement. To object, you must submit a written objection in accordance with the instructions on the settlement website by Friday, June 5, 2026.

4. ATTEND THE FINAL APPROVAL HEARING

The Court will hold a Final Approval Hearing on:

Date: June 11, 2026 **Time:** 9:30 a.m.

Location: Fifth Judicial District Court, Washington County, Utah, Judge Jay T. Winward's Courtroom 3B, located at 206 W Tabernacle St, St. George, UT 84770.

At that hearing, the Court will consider whether to approve the settlement.

WHO REPRESENTS THE CLASS?

The Court has appointed the following law firms as Class Counsel:

- **Kirton McConkie**, Salt Lake City and St. George, Utah
- **Anderson Call & Wilkinson, P.C.**, Ogden, Utah
- **Checketts Law**, Layton, Utah

You may hire your own attorney at your own expense if you wish.

WHO IS THE CLASS ADMINISTRATOR?

The Court has appointed **Anderson Call & Wilkinson, P.C.** as the Class Administrator. The Class Administrator is responsible for providing notice, processing claims, and distributing refunds if the settlement is approved.

WHERE CAN I GET MORE INFORMATION?

For more information about the settlement, including access to important documents and Claim Forms, visit:

<https://impactfeeclassaction.com/>

Or contact the Class Administrator at:

Email: info@impactfeeclassaction.com

Phone: 385-381-6178

PLEASE DO NOT CONTACT THE COURT OR WCWCD DIRECTLY ABOUT THIS NOTICE.

DATED: _____

By Order of the Court
Fifth Judicial District Court
Washington County, Utah

Anderson, Call & Wilkinson, PC
Class Administrators
PO Box 13295
Ogden, UT 84412

«NAME_1» Claim No. «CLAIM»
«NAME_2»
«STREET»
«CITY», «STATE» «ZIP»