

ENOCH CITY PLANNING COMMISSION NOTICE AND AGENDA

**March 25, 2025, at 5:30 pm City Council Chambers,
City Offices, 900 E. Midvalley Road**

Join Zoom Meeting:

<https://us02web.zoom.us/j/86374788476>

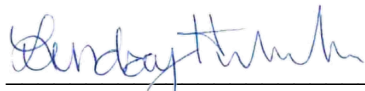
Meeting ID: 863 7478 8476

- 1. CALL TO ORDER OF REGULAR MEETING-By**
 - a. Pledge of Allegiance**
 - b. Invocation (2 min.) –Audience invited to participate.**
 - c. Inspirational thought**
 - d. Approval of agenda for March 25, 2025**
 - e. Approval of minutes for March 11, 2025**
 - f. Conflict of Interest Declaration**
- 2. PUBLIC COMMENTS**
- 3. DISCUSS ENOCH CITY ORDINANCE NO. 12.2600.2603 RELEASE OF COMPLETION ASSURANCE**
- 4. COMMISSION/STAFF REPORTS**
- 5. ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call the City Offices at 586-1119, giving at least 48 hours advance notice. Meetings of the Enoch City Planning Commission may be conducted by electronic means pursuant to Utah Code Annotated, Section 52-4-207. In such circumstances, contact will be established and maintained by telephone or other electronic means and the meeting will be conducted pursuant to the Enoch City Code of Revised Ordinances, Chapter 3-500, regarding meeting procedures including electronic meetings.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the Planning Commission, posted on the Enoch City website, on the City Office door, and published on the Utah Public Meeting Notice website on March 21, 2025.



Lindsay Hildebrand, City Recorder

03/21/2025

Date

MINUTES
ENOCH CITY PLANNING COMMISSION
March 11, 2025 at 5:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT:

Chairman Leonard Correa
Commission Andy Losee - Excused
Commissioner Elliot Lake
Commissioner Delaine Finlay
Commissioner Bryce Poulson

STAFF PRESENT:

City Manager Dotson
Lindsay Hildebrand
Hayden White, Pub. Works Dir.
Council Member Katherine Ross

Public Present: None

1. **CALL TO ORDER OF REGULAR MEETING-By Chairman Correa**
 - a. **Pledge of Allegiance** – Led by Chairman Correa
 - b. **Invocation (2 min.) –Audience invited to participate.** – Given by Commissioner Lake
 - c. **Inspirational thought** – Commissioner Poulson will have the thought at the next meeting.
 - d. **Approval of agenda for March 11, 2025** – Commissioner Finlay made a motion to approve the agenda. Commissioner Poulson seconded and all voted in favor.
 - e. **Approval of minutes for February 25, 2025** – Commissioner Poulson made a motion to approve the minutes. Commissioner Lake seconded and all voted in favor.
 - f. **Conflict of Interest Declaration** – None Stated

2. **PUBLIC COMMENTS**

There were no public comments.

3. **PUBLIC HEARING REGARDING A ZONE CHANGE REQUEST BY GEORGE LUTTERMAN, PARCELS A-0961-0038-0000, A-1010-0468-0000, A-1010-0476-0000, A-0961-0027-0000, A-1010-0475-0000 AND KURT KAZEN, PARCEL A-1010-0472-0000 FROM SINGLE-FAMILY RESIDENTIAL TO RESEARCH INDUSTRIAL PARK (R/IP)**

Commissioner Lake made a motion to close the regularly scheduled Planning Commission meeting and open a public hearing. Commissioner Poulson seconded and all voted in favor.

There were no public comments.

Commissioner Poulson made a motion to close the public hearing and reconvene the regularly scheduled Planning Commission meeting. Chairman Correa seconded and all voted in favor.

4. CONSIDER A ZONE CHANGE REQUEST BY GEORGE LUTTERMAN, PARCELS A-0961-0038-0000, A-1010-0468-0000, A-1010-0476-0000, A-0961-0027-0000, A-1010-0475-0000 AND KURT KAZEN, PARCEL A-1010-0472-0000 FROM SINGLE-FAMILY RESIDENTIAL TO RESEARCH INDUSTRIAL PARK (R/IP) AND MAKE A RECOMMENDATION TO THE CITY COUNCIL

City Manager Dotson said the zone change was a good fit for the area. He went over some history, mentioning that during or after the last zone change from residential to research industrial park, there were two property owners. The subdivision was platted in four phases around 2007, but the developers went bankrupt, and the property was split up among a few individuals. The Kazen property wasn't transferred. Kazen had requested this zone change along the city.

Commissioner Poulson made a motion to send a favorable recommendation to change to zones of property owned by George Lutterman, parcels A-0961-0038-0000, A-1010-0468-0000, A-1010-0476-0000, A-0961-0027-0000, A-1010-0475-0000 and Kurt Kazen, parcel A-1010-0472-0000 from Single-Family Residential to Research Industrial Park (R/IP). Commissioner Lake seconded and all voted in favor.

5. PRESENTATION ON THE IRON COUNTY'S GROUNDWATER MANAGEMENT PLAN AND WATER RIGHTS – Linda Hahne

Linda Hahne, a local real estate agent with Stratum, shared her frustration with realtors making mistakes about water rights. To address this, she took a three-credit class and presented it to over 800 agents statewide. In her presentation, she covered Utah's history of annual precipitation and explained Appropriated Water Rights. She referenced Utah Code 73-1-1, stating that all water is owned by the state and must be put to continuous beneficial use. She discussed priority dates, how water is measured, water right locations, and points of diversion. She also explained sub-basins, which are grouped into regions, and went over Groundwater Management Plans and the groundwater cycle. Hahne highlighted that an acre-foot of water equals 325,851 gallons and explained how Cedar has been severely overdrawing its aquifer for about 35 years. Since 1934, the water table has dropped by approximately 114 feet, reducing the ability to store water. She stated that this damage cannot be reversed. The state engineers in the Cedar City area will curtail water use starting with 1934 or older rights since those have exceeded the basin's safe yield. She also mentioned that a groundwater management plan had been issued, outlining regulations and responsibilities for 1934 rights holders. She distributed maps of Iron County's three Groundwater Management Plans and reviewed priority regulation dates. When discussing the Parowan Groundwater Management Plan, she noted that while 22,000 acre-feet of water enter the system, 33,000 acre-feet are withdrawn, exceeding the safe yield by 3.58 billion gallons. The safe yield date for this area is December 5, 1951. Chairman Correa asked if these figures would be updated as the county continues to grow. Hahne said a review was being conducted this year, and if progress was made in reducing water usage, those dates could change. She also explained how water is lost due to evaporation when it sits on the surface. To address this, diversion basins are being used throughout the county to speed up water absorption. Regarding the Beryl Groundwater Management Plan, she reported that 34,000 acre-feet of water enter the system, while 65,000 acre-feet are withdrawn. The safe yield date for this area is 1934, and there are five phases, with dates extending to 1945. She directed attendees to waterrights.utah.gov for more information on water depths and rights. Hahne addressed concerns about overuse, stating that farmland, not just population growth, is the primary factor. She emphasized that solving the issue

requires input and cooperation from farmers. City Manager Dotson noted that farmers are already making changes, such as improving irrigation methods, but collapsing aquifers force deeper drilling over time. City Manager Dotson also mentioned that Vision Iron County is developing an educational program to better inform the public about water conservation. He said that simplifying the information could encourage more people to conserve and reduce groundwater dependence. However, he emphasized that ultimately, funding would be needed to implement long-term solutions.

6. COMMISSION/STAFF REPORTS

Hayden White

- They have been installing the water on the new police department building.
- They had also been working on the road of 5600 N. to Half Mile Rd.

Council Member Ross

- In the last City Council meeting, there was a presentation about the Cedar City Hospital. They are expanding a large ER room.
- There was also a presentation by Col. Leon Matheson. They want to put in a museum and are looking for donations.

Lindsay Hildebrand

- She had sent out business license renewals and was also working on maintaining the sports registration website.

7. ADJOURN Commissioner Poulson made a motion to adjourn. Commissioner Lake seconded and all voted in favor.

Lindsay Hildebrand, City Recorder

Date

UTAH GROUNDWATER MANAGEMENT PLANS - simplified

1. THE HISTORY

- a. Early Utah settlers had lived in states with as much as 48" of annual precipitation. When they arrived in Utah, which averages around 13" of annual precipitation, they immediately knew that water would have to be managed differently.
- b. In all eastern states, water is managed through riparian water rights. This means that if you own land, you own the water on, under, and adjacent to your land.
- c. Utah was the first state to fully implement appropriated water rights, although all western states now use some version of this type of law.

2. OWNERSHIP OF WATER

- a. Under appropriated water right law, the State owns ALL of the water and users may obtain an appropriation (a water right) which gives them the right to USE the water.
- b. When you purchase a water right, you do NOT own the water. You own the right to USE the water under the supervision of the State.
- c. The State uses appropriated water rights to help assure that:
 - i. No individual or small group can possess or control a disproportionate share of the water.
 - ii. Water cannot be monopolized, to be traded as a commodity for profit.
 - iii. The water will be put to a continuous use that will benefit individuals and the population as a whole.

3. BENEFICIAL USE

- a. Utah Code 73-1-3 states that, "Beneficial use shall be the basis, the measure and the limit of all rights to the use of water in this state."
- b. Utah Code 73-1-3(3) states that the Legislature (and the people they appoint) shall govern the use of water in Utah.
- c. Water right owners have an ongoing obligation to continue to actively use their water right for beneficial use. If they do not, they risk forfeiting the use of their water to the state. (The owner will retain ownership of the water right, but will lose the use of the water right.)

4. PARTS OF A WATER RIGHT

- a. Water rights are an appropriation from the State. When a portion of water is appropriated, it is given an identifying number and is then called a water right.
- b. Utah Code 57-1-1(3) defines all water rights as "Real Property" or "Real Estate", (even though you don't actually own the water - only the right to use the water).
- c. Utah Code 30.73-1-10(1)(a) says that a water right, "shall be transferred by deed in substantially the same manner as real estate".
- d. Every water right has a priority date, which is the date the water right was very first appropriated by the State. With rare exceptions, the priority date stays attached to that water right forever even if it is bought, sold, moved to a different location, or the use is changed.
- e. Utah Code 73-3-21.1(2) establishes 'The Doctrine of Prior Appropriation' (also known as 'First in Time, First in Right'). This means that owners of water rights

with earlier priority dates have a greater right to the use of the water than those having later priority dates. Because of this, the State has the right to impair the use of the later priority date water until the full allotment is fulfilled for the earlier priority date water.

- f. Utah Code 73-1-2 states that the standard measurement of water shall be either one cubic foot per second or by the acre-foot.
 - i. Running water (such as a lake or stream) is measured in cubic feet per second (also called CFS). This measures how many cubic feet of water pass by a specified point each second. It may be useful to know that a standard basketball is about 1 cubic foot.
 - ii. The measurement you will most often hear is acre-foot. This is the amount of water it takes to cover one acre of land one foot deep with water, or about 325,851 gallons.
- g. The specific location of a water right is determined by the assigned 'point of diversion'. This is the point specified in a water right from which water is diverted. It may be helpful to think of this in terms of a glass of lemonade with a straw in it. The lemonade in the glass is the source of the liquid, the bottom of the straw is the point of diversion (the point at which the liquid is diverted from the source), and the top of the straw is the point of use.
- h. The State divides water rights into categories as follows:
 - i. Water rights are grouped together in sub-basins. This is usually determined by the natural boundary of an underground body of water, although boundaries may sometimes be set by Federal or State law or by a court of law. It is important to note that water rights do not transfer between sub-basins or basins.
 - ii. Sub-basins are grouped together in Basins, (also called an 'Area'). Each basin is assigned a number. All water right numbers within that basin begin with the two numbers of the basin. (For example, all water rights in basin 73 would have a designation number that looks like this 73-1234.)
 - iii. Several basins are grouped together to form a Region. Each region has an office and is assigned a Regional Engineer.
 - iv. All the regions together make up the water system of Utah. This is overseen by the State Engineer. The office of the State Engineer is within Utah's Department of Natural Resources.

5. GROUNDWATER MANAGEMENT PLAN

- a. The groundwater cycle:
 - i. Water from precipitation sinks into the ground to refill the groundwater storage basin.
 - ii. If more water is removed from underground storage than goes into underground storage, it creates an imbalance.
 - iii. If the imbalance is not addressed, it can cause permanent damage to the underground structure of the water table.
 - iv. If the imbalance continues, the underground water table may be damaged and water will no longer be available for users.

- b. Many areas of Utah are overusing their water. Let's look at the Cedar City Valley groundwater management plan as an example:
- i. On average, 21,000 acre-feet of water enters the Cedar City area aquifer each year and 28,000 acre-feet of water are withdrawn by users. This, of course, means that the Cedar City area is withdrawing 7,000 acre-feet too much water every year. (Incidentally, the Cedar City area has been overdrawing the aquifer for 90 years.) As mentioned above, one acre-foot of water is equal to 325,851 gallons, so by multiplying 7,000 acre-feet by the amount in each acre-foot you will see that the Cedar City area is overtaxing our aquifer by 2,280,957,000 gallons every year.
 - ii. Most people think that an underground aquifer is like a big underground tank. If it gets empty - you just hope for more rain to fill it up next year! Unfortunately, aquifers don't work like that. Water is stored in underground caves, spaces between the rocks, and mixed in with the dirt. When too much water is withdrawn over a long period of time, those underground caves and spaces can collapse, and the dirt becomes dry and compact. Large areas of the underground storage space can be lost - forever. There are often visible signs that permanent damage has occurred to the underground aquifer. Here are just three from the Cedar City area: The water table has dropped by as much as 114 feet since 1934; many large fissures have developed in the valley floor (one fissure west of Cedar City is 2.5 miles long); and some areas of the valley floor have dropped by as much as four feet.
 - iii. Can we fix it? To sustain our current use, we would have to receive an additional 2.28 billion gallons of precipitation every year. That would allow us to continue using water at the current rate, but it would not 'undo' the damage that has already occurred in our aquifer and it would not replace the billions of gallons too much we have removed from the aquifer.
 - iv. Because of the overuse, the State Engineer has issued a directive - either stop overusing the water or her office will begin curtailing the use of water rights in the Cedar City area, beginning with water rights with priority dates of 1934 or higher. Why 1934? Water rights issued in 1934 were the first to 'tip the balance' to overuse of the water table. (The total of all water rights issued from the 1850s through July 24, 1934 is equal to 21,000 acre feet. Water rights issued on or after July 25, 1934 allowed the withdrawal of more than 21,000 acre feet of water from the aquifer.) So for the Cedar City Valley Groundwater Management Plan, the SAFE YIELD DATE is July 24, 1934. The safe yield date is different for every groundwater management plan.

6. THE STEPS OF A GROUNDWATER MANAGEMENT PLAN

- a. The State Engineer determines there has been consistent overuse of the groundwater basin over a long period of time and puts the area under a groundwater management plan.

- b. The United States Geological Survey (USGS) has been monitoring the basin for decades. They work with the Division of Water Rights to determine when more water was being withdrawn from the basin than was going into the basin through natural means. That year is designated as the 'SAFE YIELD DATE' of the basin.
- c. All water rights issued after the safe yield date have contributed to the ongoing imbalance. Because we know in what year all water rights were appropriated (the priority date), we know exactly which water rights were responsible for overdrawing the basin.
- d. For example, for the groundwater management plan in Cedar City, the safe yield date is 1934. (The date is unique for every groundwater management plan.) The State Engineer has said that unless other measures are taken to restore the balance to the basin, water rights with a priority date later than 1934 will start being impaired in the year 2035.
- e. In the Cedar City area, if measures are taken by the community to restore the balance to the basin by the year 2025, the critical priority date may be adjusted to a later date.
- f. If the critical priority date is not adjusted, starting in 2035 groups of users with water rights having a priority date after July 25, 1934 will get a letter from the State telling them to turn off their water.

7. SOME COMMON QUESTIONS

- a. What if I refuse to stop using my water? The State Engineer's office will send representatives to make sure you have stopped using your water. If you continue to use the water, the State will fine you. Once the fines have reached a certain threshold, the State will file a lien against your property and may take away your land or even your home.
 - b. They won't take away my water if it's all I have for my house - will they? Under a groundwater management plan it absolutely does not matter what you use the water for, even if it is the only source of water for your home, your business, your crops, or your livestock.
 - c. Will this affect municipal and community water? All water in Utah originates in water rights so, yes, this will affect municipal and community water. Some communities are facing the loss of thousands of acre-feet of water.
8. Iron County has the dubious honor of having THREE groundwater management plans - more than any other county in the State. Information about the three groundwater management plans is on the following pages.

Some additional information:

To see the text of any groundwater management plan, including the priority regulation schedule:

1. Go to waterrights.utah.gov
2. Click on 'Law/Agreements' near the top left of the page
3. Click on 'Groundwater Management Plans'
4. Click on the title of the groundwater management plan you wish to review
5. Within the light yellow box near the top of the page click on the name of the groundwater management plan area. This will take you to the packet of information about that groundwater management plan.

OR, To see other helpful information:

1. Repeat steps 1-4 above
2. From this main page you may find a variety of helpful data such as:
 - a. A groundwater decline animation
 - b. Groundwater level trends (graphs)
 - c. USGS Scientific investigations and studies (showing ground subsidence, fissures, and other helpful information)
 - d. Minutes and/or videos of public meetings

Presented by:

Linda Hahne

UtahWaterRightsEducation@gmail.com

(435) 590-3212

Please don't hesitate to contact me with any questions!

IRON COUNTY'S THREE GROUNDWATER MANAGEMENT PLANS

CEDAR CITY VALLEY (see attached map)

Cedar City Valley has 21,000 acre feet of water entering the aquifer each year, and 28,000 acre feet of water is withdrawn from the aquifer each year. This means that 7,000 acre feet (2.28 billion gallons) too much water is being withdrawn every year. This has resulted in the collapse of some of the underground structure of the water table, causing permanent damage and a reduced capacity to store water in the water table in the future.

The State Engineer implemented the Cedar City Valley Groundwater Management Plan on January 11, 2021 to address this overuse. In accordance with the schedule shown below, certain water right owners will be instructed to stop using their water on predetermined dates. Water right owners will still OWN their water right, but they will never be able to USE their water right again. It does not matter what the water is being used for.

The State Engineer will review the Cedar City Valley Groundwater Management Plan in 2025 and if the area has shown progress in addressing the overuse the Groundwater Management Plan may be adjusted.

Column 1: There are five phases of the Groundwater Management Plan

Column 2: This is the date water right owners in the affected phase must stop using their water.

Column 3: For each phase, if the priority date of your water right is between the date listed in column 3 and today's date your water right is affected. (The priority date is the date the water right was first issued by the State. With rare exceptions, the priority date stays attached to the water right forever.)

COLUMN 1	COLUMN 2	COLUMN 3
PHASE	TARGET DATE	PRIORITY DATES REGULATED THROUGH
1	January 1, 2035	December 31, 1957
2	January 1, 2050	December 31, 1954
3	January 1, 2060	December 31, 1951
4	January 1, 2070	December 31, 1935
5	January 1, 2080	July 25, 1934

Note: Utah Code 73-1-1 declares that all water in the State is owned by the State. Ownership of a water right does NOT give ownership of the actual water, it gives the owner the right to USE the water. Utah Code 73-1-3(3) gives the Utah Legislature the right to decide how the water will be used (or not used).

IRON COUNTY'S THREE GROUNDWATER MANAGEMENT PLANS

PAROWAN VALLEY GROUNDWATER MANAGEMENT PLAN (see attached map)

Parowan Valley has 22,000 acre feet of water entering the aquifer each year, and 33,000 acre feet of water is withdrawn from the aquifer each year. This means that 11,000 acre feet (3.58 billion gallons) too much water is being withdrawn every year. This has resulted in the collapse of some of the underground structure of the water table, causing permanent damage and a reduced capacity to store water in the water table in the future.

The State Engineer implemented the Parowan Valley Groundwater Management Plan on October 15, 2024 to address this overuse. In accordance with the schedule shown below, certain water right owners will be instructed to stop using their water on predetermined dates. Water right owners will still OWN their water right, but they will never be able to USE their water right again. It does not matter what the water is being used for.

The State Engineer will review the Parowan Valley Groundwater Management Plan periodically and if the area shows progress in addressing the overuse the Groundwater Management Plan may be adjusted.

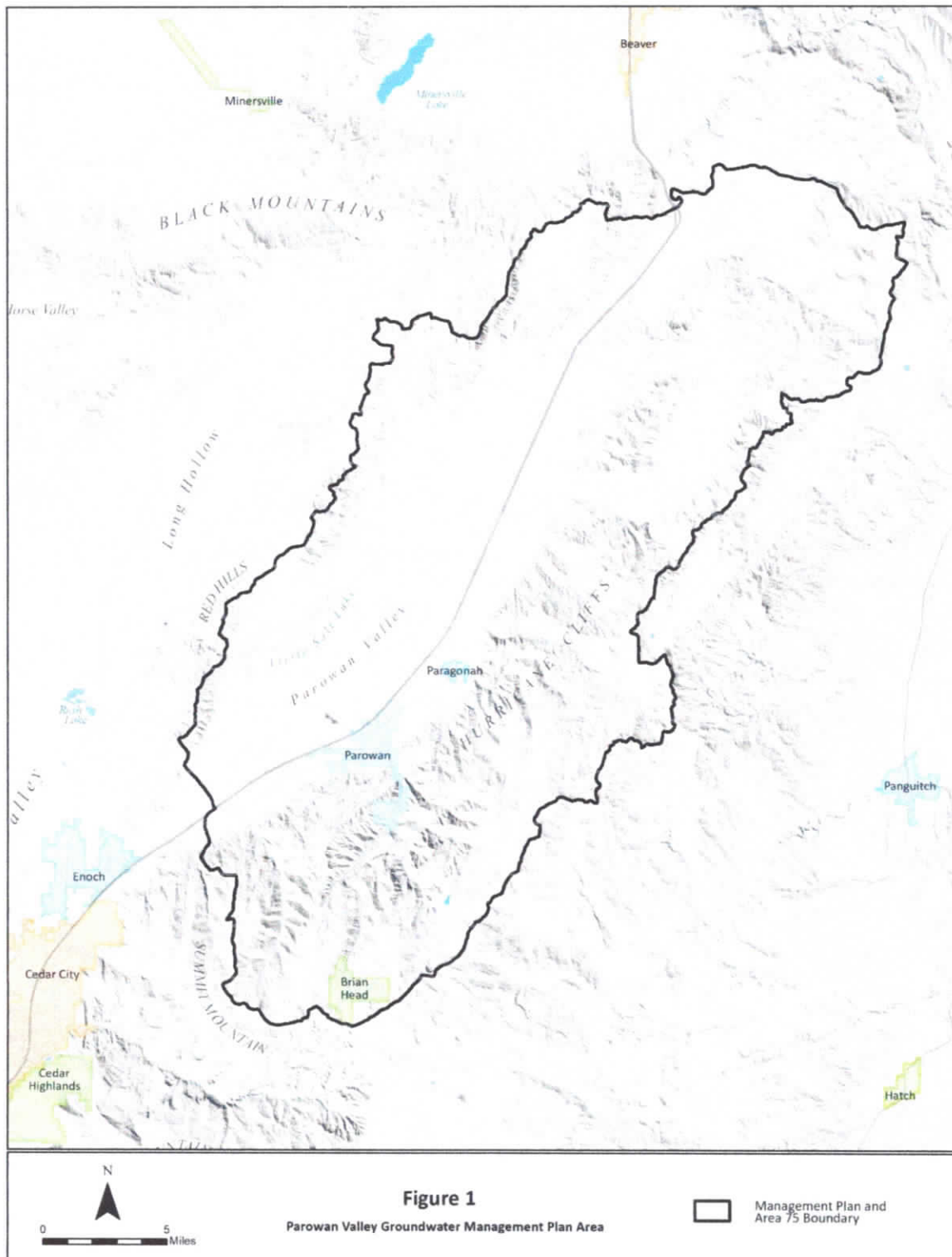
Column 1: There are four phases of the Groundwater Management Plan

Column 2: This is the date water right owners in the affected phase must stop using their water.

Column 3: For each phase, if the priority date of your water right is between the date listed in column 3 and today's date your water right is affected. (The priority date is the date the water right was first issued by the State. With rare exceptions, the priority date stays attached to the water right forever.)

COLUMN 1	COLUMN 2	COLUMN 3
PHASE	TARGET DATE	PRIORITY DATES REGULATED THROUGH
1	January 1, 2043	January 1, 1955
2	January 1, 2060	January 1, 1954
3	January 1, 2070	January 1, 1953
4	January 1, 2080	December 5, 1951

Note: Utah Code 73-1-1 declares that all water in the State is owned by the State. Ownership of a water right does NOT give ownership of the actual water, it gives the owner the right to USE the water. Utah Code 73-1-3(3) gives the Utah Legislature the right to decide how the water will be used (or not used).



IRON COUNTY'S THREE GROUNDWATER MANAGEMENT PLANS

THE BERYL ENTERPRISE GROUNDWATER MANAGEMENT PLAN (see attached map)

The Beryl and Enterprise area has 34,000 acre feet of water entering the aquifer each year, and 65,000 acre feet of water is withdrawn from the aquifer each year. This means that 31,000 acre feet (10.1 billion gallons) too much water is being withdrawn every year. This may result in the collapse of some of the underground structure of the water table, causing permanent damage and a reduced capacity to store water in the water table in the future.

The State Engineer implemented the Beryl Enterprise Groundwater Management Plan on December 21, 2012 to address this overuse. This Groundwater Management Plan has been implemented differently from the other Groundwater Management Plans in Iron County.

In consultation with the State Engineer, water users may agree to participate in a voluntary arrangement to manage withdrawals based on a system other than priority date. Users agree to reduce the withdrawal from the aquifer by 5% each decade, beginning in 2030. This will reduce the withdrawal of water from the aquifer by 31,000 acre feet by 2130. If this voluntary arrangement is successful in accomplishing the required reductions, the State Engineer will not order reductions in use based on priority date. **However, if regulated reductions become necessary the State Engineer will begin regulating water rights according to the chart below.**

This arrangement requires the Division of Water Rights to monitor groundwater levels and to implement other measures, such as carefully reviewing all water rights change applications in the area. If during any phase of the plan it is determined that balance has been achieved between water coming into the aquifer and water being withdrawn from the aquifer, future reductions will not be implemented. This plan may also be amended at any time in the same manner it was adopted.

THE BERYL ENTERPRISE PRIORITY REGULATION SCHEDULE (TO BE IMPLEMENTED ONLY IF AGREED-UPON REDUCTIONS HAVE NOT BEEN MET BY 2030.)

Column 1: There are 10 phases of the Beryl Enterprise Groundwater Management Plan Priority Regulation Schedule. (Again, this priority regulation schedule is at the State Engineer's Discretion and will only be implemented if the water users fail to reduce their water use as agreed when the plan was formed in 2012. As of January, 2025 the following priority regulation schedule had NOT been implemented. For more information, please call the Division of Water Rights Southwest Area Office at (435) 586-4231.)

Column 2: This is the date water right owners in the affected phase must stop using their water.

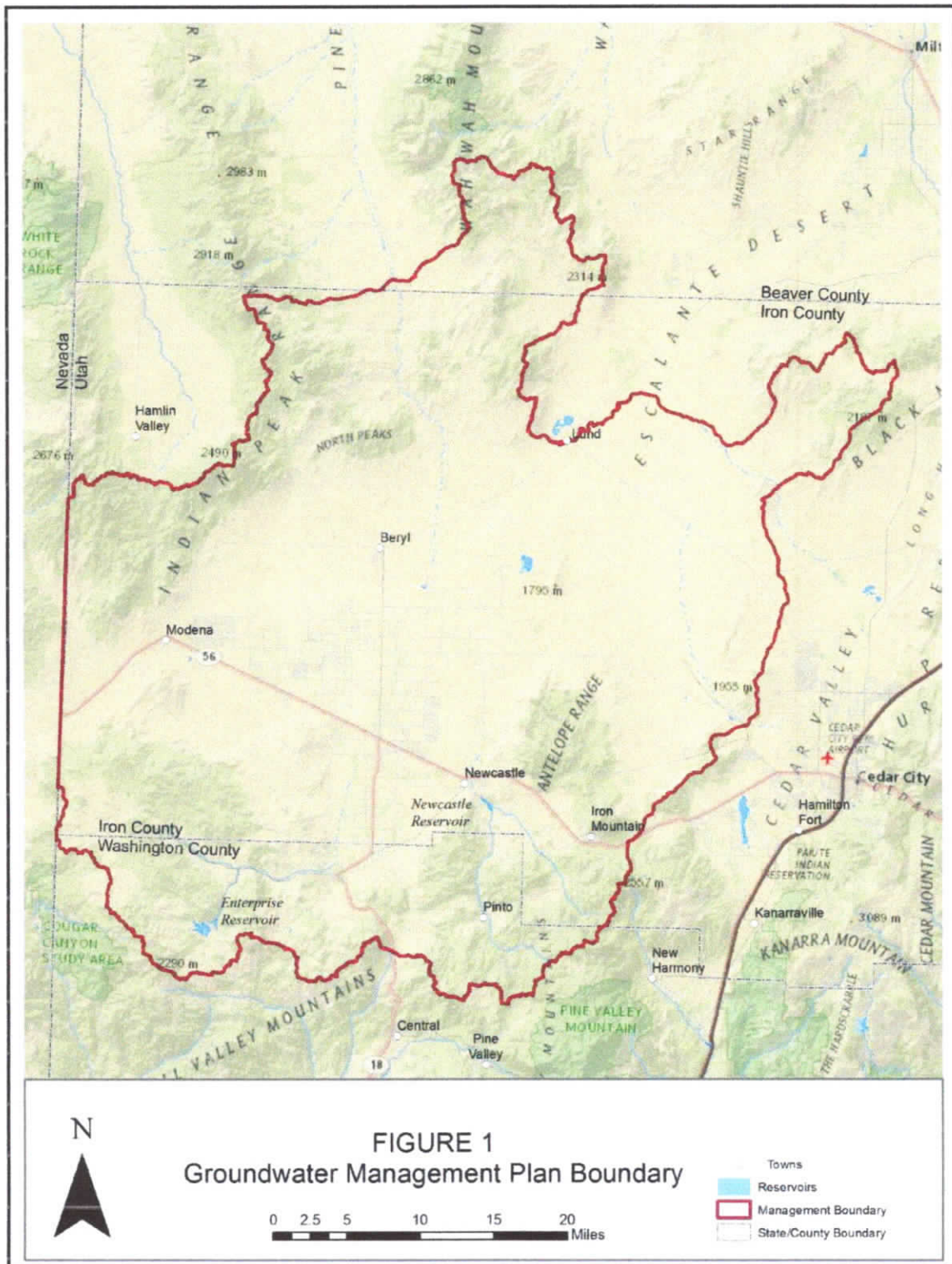
Column 3: For each phase, if the priority date of your water right is between the date listed in column 3 and the current date your water right is affected. (The priority date is the date the water right was first issued by the State. With rare exceptions, the priority date stays attached to the water right forever.)

THE BERYL ENTERPRISE GROUNDWATER MANAGEMENT PLAN (continued)

COLUMN 1	COLUMN 2	COLUMN 3
PHASE	TARGET DATE	PRIORITY DATES REGULATED THROUGH
1	October 31, 2030	July 22, 1955
2	October 31, 2050	September 27, 1950
3	October 31, 2060	March 4, 1947
4	October 31, 2070	February 13, 1946
5	October 31, 2080	December 13, 1945
6	October 31, 2090	August 29, 1945
7	October 31, 2100	August 17, 1945
8	October 31, 2110	*April 26, 1945
9	October 31, 2120	*March 1, 1945
10	October 31, 2130	*1945

*PLEASE CHECK WITH THE DIVISION OF WATER RIGHTS AT (435) 586-4231 FOR ANY WATER RIGHT WITH A PRIORITY DATE IN THE YEAR 1945 IN THE BERYL ENTERPRISE GROUNDWATER MANAGEMENT PLAN. SOME 1945 PRIORITY DATES ARE NOT INCLUDED IN THE PRIORITY REGULATION SCHEDULE.

Note: Utah Code 73-1-1 declares that all water in the State is owned by the State. Ownership of a water right does NOT give ownership of the actual water, it gives the owner the right to USE the water. Utah Code 73-1-3(3) gives the Utah Legislature the right to decide how the water will be used (or not used).



Current:

12.2600.2603 RELEASE OF COMPLETION ASSURANCE

As improvements are completed, inspected, approved, and accepted, the completion assurance may be reduced proportionately as stated:

Improvement Completed	Reduction of Assurance
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Underground infrastructure	25%
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Road base to final grade	25%
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Final inspection for release	40%
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End of one (1) year warranty	10%
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Escrow: As the required improvements are satisfactorily installed and have been inspected by the City, funds which have been placed in escrow for those improvements will be authorized to be released for payment. Escrow holder is authorized to release funds from this account only after receiving a written release from City. The City is not responsible to determine the party to be paid.

Suggested:

A maximum of 90% of the cash bond or letter of credit shall be eligible for release as the improvements are completed according to the approved engineering drawings. 10% of the bond shall be retained until the City improvements in a subdivision are accepted by the City Engineer. The improvements shall not be accepted by the City Engineer until as-built drawings and grading reports are received, and the final inspection by the City Engineer and resulting punch list items are completed by the subdivider;