

**NOTICE AND AGENDA
MIDWAY WATER ADVISORY BOARD
MONDAY, MAY 4, 2015**

Notice is hereby given that the Midway Water Advisory Board will hold their regular meeting Monday, May 4, 2015 at 6:00 p.m. in the Midway City Office Building at 75 North 100 West Midway, Utah. Notice of the meeting and agenda was posted in the Midway City Office Building, Main Street Station and 7-Eleven, a copy was sent to each of the Trustees and a copy posted on the Utah Meeting Notice Web Site.

The agenda shall be as follows:

1. Roll Call
2. General Consent Calendar:
 - a. Approve the Agenda for May 4, 2015
 - b. Approve the Minutes of the April 6, 2015
3. Mecham Subdivision – Approximately 1100 S. Stringtown Road Midway – Requesting a will serve letter from Midway City for Culinary Water for two (2) lot subdivision.
4. New Business
5. Old Business
6. Board Reports
7. Adjourn

Dated April 27, 2015

Jennifer Sweat
Secretary

The order of individual items on this agenda is subject to change in order to accommodate the needs of the Board and those in attendance.

This agenda can be amended up to 24 hours before the meeting. Any Changes will be posted on the agenda located in the Midway City Office Building, 75 North 100 West Midway, Utah

If you are planning to attend this public meeting and need special assistance in accordance with the Americans with Disabilities Act, please notify Jennifer Sweat secretary for the Midway Water Advisory Board prior to the meeting at 435-654-3223 x 110.

General Consent Calendar

**\MIDWAY WATER ADVISORY BOARD
MONDAY, APRIL 6, 2015
MEETING MINUTES**

Minutes of the Midway Water Advisory Board meeting held April 6, 2015 at 6:00 p.m. in the Midway City Office Building, 75 North 100 West, Midway, UT.

Roll Call

Irrigation Company Members: Steve Farrell, Grant Kohler and Brent Kelly. Midway City: Mayor Colleen Bonner, Council Member Kenneth VanWagoner, Council Member Karl Dodge and Secretary Jennifer Sweat.

General Consent Calendar

Mayor Bonner called for a motion to approve the agenda for April 6, 2015 and meeting minutes for March 2, 2015.

Motion: Council Member Kenny VanWagoner made a motion to approve the Agenda for the April 6, 2015 meeting, and meeting minutes from March 2, 2015. Co-Chairman/Irrigation Company President Steve Farrell seconded the motion and it was carried unanimously.

Co-Chairman Farrell asked Mayor Bonner if we could discuss New Business first, as Mr. Richard Kohler was there to discuss water requirements on his property. Mayor Bonner stated that would be fine.

New Business – Richard Kohler – 130 North 100 East

The following is a brief summary of the decision including conditions of approval and/or comments by the Water Advisory Board:

1. Mr. Kohler feels that he does not need to turn in ½ water share for the property he is building on at 130 North 100 East as it is part of the original 21 blocks of Midway City.
2. Mr. Kohler quoted our municipal code, 10.07 “Development within the City”, Section 10.07.10 “Water Needs”
 - a. Because Midway City does not have sufficient culinary water rights to supply the needs of new connections with the City limits, those who apply for new connections to the City water system on land not located within a previously-approved subdivision or other large-scale development or on an original lot of the lots and blocks survey of Midway, Utah, will be required to convey to the City water rights sufficient to accommodate the needs of the new connection or enter into an approved lease thereof. For purposes of this requirement, each existing lot within an approved subdivision or other large-scale development shall be entitled to one connection, and each of the eight lots within the original 21 blocks of Midway City shall be considered existing lots within an approved subdivision and

shall be entitled to one connection without a contribution of water.

3. Mr. Kohler stated that his lot is part of the original 21 blocks, and he is one of the eight lots in those blocks, and therefore should not have to contribute any water.
4. The board explained to Mr. Kohler that yes his lot was part of the 21 blocks, however there has already been a water connection taken on his lot because it was subdivided, and that connection was taken by that house. He argued that there was a full share of water for that lot, and so ½ shares were still left. The board explained it had nothing to do with shares, but connections and that connection had been taken, and therefore he would need to turn in ½ water share.
5. The Board and Mr. Kohler came to the conclusion that it was best to have the City attorney look at the code, and see what the intent was, since Mr. Kohler and the board have different interpretations of the code.

Warm Springs PUD – Located at 1300 North Canyon View Drive

The following is a brief summary of the discussion including conditions of approval and/or comments by the Water Advisory Board:

1. Paul Berg reviewed the PUD it has 89 homes, and one (1) clubhouse. The project is a total of 55 acres, with 17.82 acres being irrigated. The hillside area will remain natural, and no irrigation will be required for it. West Pasture/Wetland area to remain natural as well with no irrigation.
2. The board discussed irrigation on the property, and discussed putting a note on the plat. It was also mentioned that it could also be included in the development agreement.
3. The board asked Paul Berg how he came up with the acres that were irrigated, and he explained you take out the roads, pads, trails etc.)
4. The board asked how many shares did the property have? Bill Probst stated that the property comes with 47 shares. So he would need to come up with another ½ share.
5. Bill Probst asked if the water needed to be turned in all at once or by phase? The board stated that it would be turned in by phase, and that it would be best to have water calculations of what was needed for each phase. Paul stated there would be a total of four (4) phases.
6. The board discussed the idea of including the water shares in the development agreement, because there had been times when a development had not been developed and that water had been sold separately from the land. There was concern that may happen with this project if down the road Mr. Probst decided to not develop the rest of the phases.
7. Bill Probst stated that the bank owns the water shares, and that they would not sell them off as it would devalue the property. He said that the water shares would be released to him as he bought each phase. The board felt that if the bank also signed the development agreement that would protect the water shares. Mr. Probst didn't think that would be a problem having the bank sign the agreement.
8. The board asked Mr. Probst about the Ditch in regards to Laren Gertsch. Mayor Bonner stated that in City Council they did not make a decision on the ditch, and stated that it

would be decided by Midway Irrigation Company. Mr. Probst stated that the agreement was they would work with the Midway Irrigation Company and do what they felt was best. Co-Chairman Farrell stated they would discuss this matter in their meeting tonight with the irrigation board.

Mayor Bonner asked if there was further discussion.
No further discussion was needed.

Motion: Council Member Kenny VanWagoner made the motion to recommend that 143.46 acre feet be turned in for the water needs of the PUD, which is 47.82 shares of water. It was also recommended that Berg Engineering provide an irrigated area map for the project, water calculations for each phase of the project, a note on the plat specifying area that will not be irrigated, and that the bank will also sign the Development Agreement. Midway Irrigation Member Grant Kohler seconded the motion. It was carried unanimously.

(Complete meeting recordings are available of the discussion in its entirety are available in the supplemental files for Water Advisory Board)

New Business/Old Business/Board Reports

No New or Old Business was given. No Board Reports were given either.

Mayor Bonner asked if there was any other business to discuss?

No other business was discussed.

Motion: City Council Member Kenny VanWagoner moved for adjournment. Midway Irrigation member Brent Kelly seconded the motion and it was unanimously passed.

Mayor Bonner adjourned the meeting @ 7:00 p.m.

Mecham Subdivision

Midway Water Advisory Project Data Sheet

Name of Project: Mecham Subdivision

Address: 11005 Stringtown Rd Midway, UT 84049

Name of Developer: Kristine V. Mecham

Total Acres of Project: 7.48 Acres

Total Acres of Irrigated Land: ~~7.00 Acres~~ 6.5

No. of Buildings: _____

No. of Residential Units: _____

No. of Hotel Units: _____

No. of Seats in Restaurant: _____

No. of Water Fixtures in Commercial Buildings (attach detail if applicable): _____

Utah Administrative Code R317-502-23/Requirements of the Division of Drinking Water:

Other: _____

Other: _____

No. of Acre Feet needed for inside use: _____

No. of Acre Feet needed for outside use: _____

Extension or Modification of the City Water System:

Storage Facilities: _____

Midway Irrigation Company Consent:

a. Storm Water Runoff: _____

b. Piping of Irrigation Ditch (Easements): _____

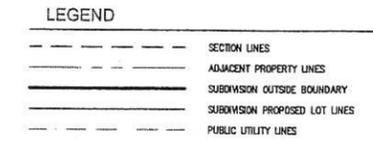
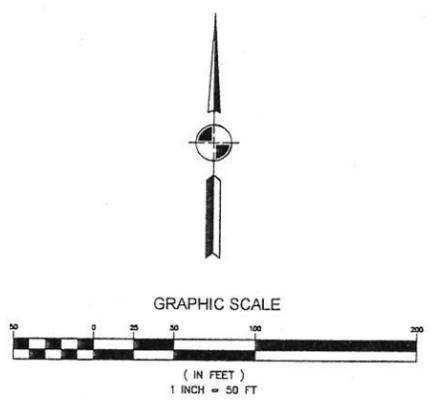
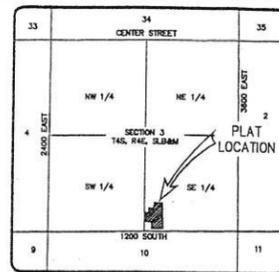
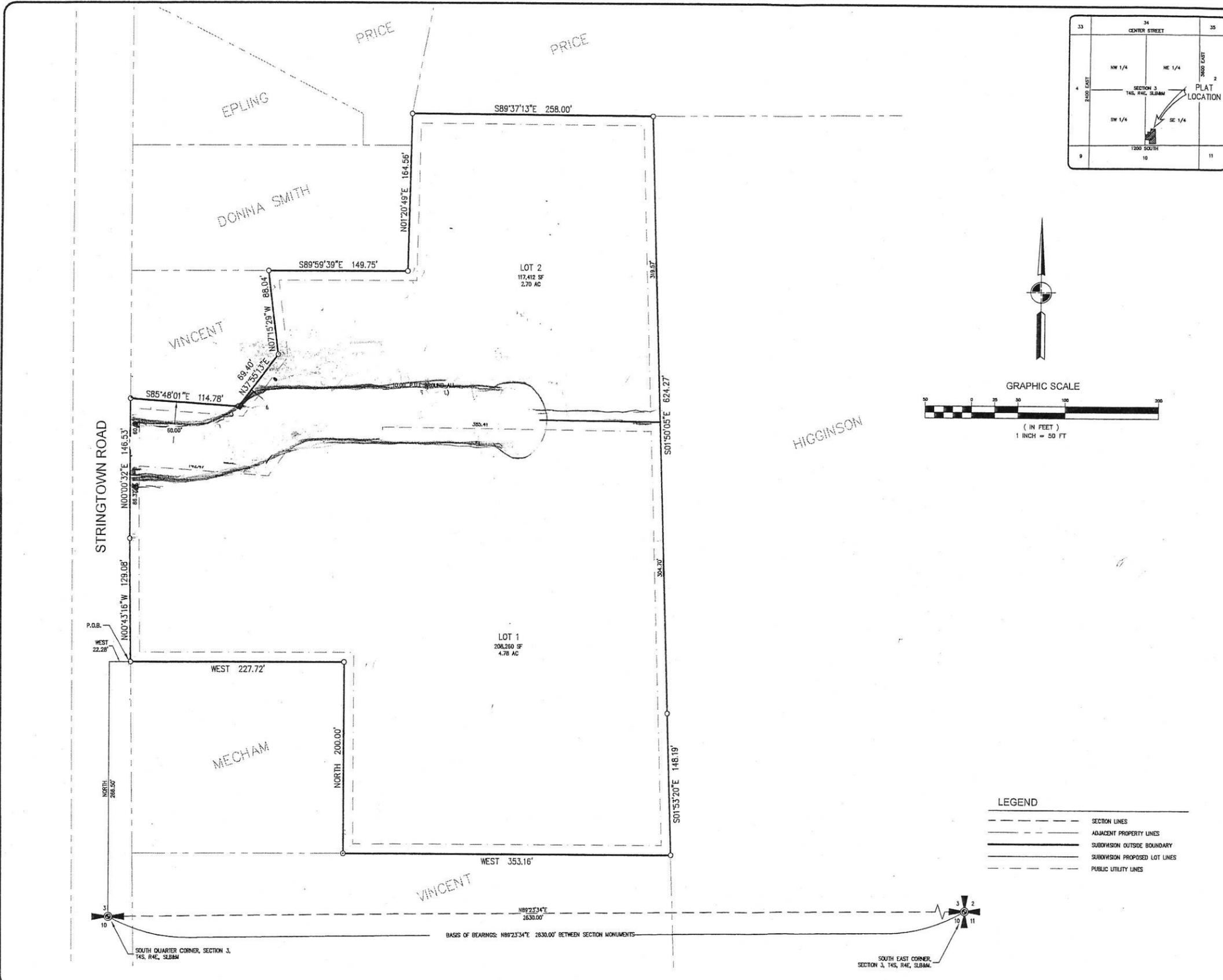
c. Relocation of Ditches (Easements) _____

d. Tail Water Control: _____

Secondary Water System: _____

Comments:

We are requesting a will serve letter from Midway City for Culinary water for 2 Lot Subdivision.



BOUNDARY DESCRIPTION

BEGINNING NORTH 286.50 FEET AND WEST 22.28 FEET FROM THE WASATCH COUNTY SURVEY MONUMENT FOR THE SOUTH ONE QUARTER CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,
 AND RUNNING THENCE NORTH 00°43'16\"/>

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS SOUTH 89°49'40\"/>

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

 BING CHRISTENSEN
 PROFESSIONAL LAND SURVEYOR

 DATE

 SURVEYOR'S SEAL

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I (WE) THE UNDERSIGNED OWNER(S) OF THE TRACT(S) OF LAND SHOWN AND DESCRIBED ON THIS SUBDIVISION PLAT, HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, STREETS AND EASEMENTS TO BE HEREAFTER KNOWN AS THE MECHAM SUBDIVISION, DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____ DAY OF _____, 2015.

 FEE OWNER (OR AGENT) PRINTED NAME DATE

 FEE OWNER (OR AGENT) PRINTED NAME DATE

ACKNOWLEDGEMENT

STATE OF _____) S.S.
 COUNTY OF _____)

ON THIS _____ DAY OF _____, 2015, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC

ADMINISTRATIVE BODY

COUNTY MANAGER	DATE	ATTEND: CLERK	DATE
ATTORNEY	DATE	PLANNING	DATE
ENGINEERING	DATE	SURVEYOR	DATE
FIRE	DATE	HEALTH DEPARTMENT	DATE
WATER RESOURCES	DATE	SPECIAL SERVICE DISTRICT	DATE
SHERIFF	DATE	PUBLIC WORKS	DATE
WEED BOARD	DATE	RECREATION DEPARTMENT	DATE
RECORDER			

PROJECT L15-037	MECHAM SUBDIVISION	LOCATED IN THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SLB&M	DRAWN BY: BMB	REVIEWED BY: BC		COPYRIGHT © 2015 SUMMIT ENGINEERING GROUP, INC. DANVILLE, ALABAMA IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF LICENSED ARCHITECT, PROFESSIONAL ENGINEER, LANDSCAPE ARCHITECT, OR PROFESSIONAL LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY MANNER. ANY ALTERATION TO THIS DOCUMENT IS INVALID UNLESS IT IS MADE BY THE OWNER AND THE NOTATION "ALTERED BY" FOLLOWS BY THEIR SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION.
SHEET 1	SUBDIVISION PLAT	WASATCH COUNTY, UTAH	SCALE: 1" = 50'	ISSUE DATE: 03/24/2015	55 WEST CENTER • P.O. BOX 176 HEBER CITY, UTAH 84032 P. 435-654-9229 • F. 435-654-9231	

New Business/Old Business/
Board Reports
