

Topic: Enoch City Water Board Meeting
Time: Jan 13, 2022 04:30 PM Mountain Time (US and Canada)

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ENOCH CITY WATER BOARD
NOTICE AND AGENDA
January 13, 2022 at 4:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

- 1. CALL TO ORDER OF REGULAR MEETING**
 - a. Pledge of Allegiance –**
 - b. Invocation –Audience invited to participate.**
 - c. Approval of agenda for January 13, 2022 –**
 - d. Approval of minutes for October 14, 2021-**
 - e. Conflict of Interest Declaration-**
- 2. ADMINISTER OATH OF OFFICE TO NEW WATER BOARD MEMBER**
- 3. ELECT CHAIRMAN AND CHAIRMAN PRO-TEM**
- 4. OPEN AND PUBLIC MEETINGS TRAINING**
- 5. INTRODUCTION TO NEW WATER ORDINANCES**
- 6. PUBLIC COMMENTS**
- 7. BOARD/STAFF REPORTS**
- 8. 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.

CERTIFICATE OF DELIVERY

I certify that a copy of the forgoing "Notice and Agenda" was delivered to each member of the City Council, emailed to "Cedar City Daily News", posted on the Enoch City website, on the City Office door and published on the Utah Public Meeting Notice website on **1-10-22**.

 1-10-22
Julie Watson, Recorder Date

MINUTES
ENOCH CITY WATER BOARD
October 14, 2021 at 4:30pm
City Council Chambers
City Offices, 900 E. Midvalley Road

MEMBERS PRESENT: Doug Grimshaw, Steve Woolsey, Spencer Jones and Coby Zobell.
Alan Miller was absent.

STAFF PRESENT: Rob Dotson and Deputy Recorder Lindsay Hildebrand. Council Member David Harris was absent. City Recorder, Julie Watson was on Zoom

PUBLIC PRESENT: none

1. CALL TO ORDER OF REGULAR MEETING

- a. **Pledge of Allegiance** - Given by Steve Woolsey
- b. **Invocation –Audience invited to participate** – Given by Coby Zobell
- c. **Approval of agenda for October 14, 2021 – A motion was made by Spencer Jones to approve the agenda. Steve Woolsey seconded and all voted in favor**
- d. **Approval of minutes for September 9, 2021- A motion was made by Spencer Jones to approve the minutes. Steve Woolsey seconded and all voted in favor**
- e. **Conflict of Interest Declaration** - Spencer Jones said that he owns water rights and wells, but he didn't know what the discussion is going to be about.

2. DISCUSS CURRENT WATER SYSTEM AND FUTURE PLANS-City Mgr. Dotson

City Manager Dotson said he wanted to keep the board updated on the status. It's winter and the water demands are going down. This is a good time to plan for next summer when demand goes up. He wanted to start with basic infrastructure, what's happening in the next six months and the impact it will have on our system. He pulled up a map of the Property Viewer on the Enoch City website. It shows the boundaries of Enoch. We have a total of twelve wells, the BLM, Iron Works, Ravine, Homestead, Anderson, Woolsey, Little Eden, Norm Grimshaw, Garden Park, an irrigation well in Three Peaks subdivision, Richardson, and the animal shelter, which has several names. We are in negotiations on the Blue Bird Well. We should own here in the next month. We are also negotiating on potentially two other wells. Four out of the twelve wells that we own are for irrigation only. There is discussion on what to do when a well gets to be too old and causes problems. Steve asked how many building permits has the City issued so far. City Manager said he wasn't sure, but that there are 24 on his desk right now that are applications. We have an Impact Facility Plan that takes a six year picture and a twenty year picture of the City's future. It looks at what the infrastructure will need to be prepared for. What we have done with the impact fee is purchase and rehab some wells. There is also the potential to put in a new tank within ten years. There is discussion on the differences of certain types of piping for our water system and how they would do long-term. They discussed the pros and cons of both c900 and hdpe piping and considered what the Washington County Water District is using. City Manager Dotson said let's move on to our current growth. Settlers Square Subdivision Phase 4 just came in. Phase 3 was just completed and every lot has a building permit going right now. Phase 7 of Iron Mountain was completed, but there aren't any homes being built, currently. Sun View Subdivision is being completed. Pinnacle Ridge Phase 1 is getting asphalt with a couple of building permits there. The north end of Enoch is starting to take off. There is an industrial subdivision going in and that City Manager Dotson showed on a map. Parkview Subdivision has

been vacated. The preliminary plat for the Richardson property came in this week with 5 phases. The re-zone of the Penny property is going to be zoned R-1-11 and is about 100 acres. The City will probably have to do a new impact fee analysis because it's been about 6 years. He asked if there were any questions or comments about growth. Spencer said there are a lot of indicators that growth will slow down. He mentions an article that says 78% of residents in Utah can't afford a house based on income. It said something about homes being 115 % above what a renter can afford. City Manager Dotson pulled up the Ken Gardner Report from Sept. 29th for the 5 county area. Spencer noted that the one he was talking about is state wide. They are talking about interest rates going up, inflation, and construction availability of materials. It's pretty volatile right now. Coby said that he attended a convention and an engineer who is helping Cedar City re-do their master plan spoke for 45 minutes and he said he doesn't think Cedar and our area will slow down any time soon. It's a highly desirable area, so people are coming in from out of town that have the money and resources. His concerns, which are shared, are traffic and water. These are the top items that people worry about regarding growth. City Manager Dotson said all of the factors coming together in growth create a dynamic and everyone wants to know what is going to happen and what to do. The market forces the infrastructure demands and supply and they all have an impact on everything else. Our perspective as a City is the market will decide where the growth is going to be. If we run out of water rights, and there are none for sale, then you don't build. Coby said that, regarding offers on homes, he that people only want to work with cash and conventional loans. Right now town homes are over \$300,000. There is an influx of people which is a huge factor. He sold a home on Pioneer Dr. and the family that bought is said that they know in 5 years they will be upside down on the home and have no equity. Steve said it's not the same dynamic as 2008. City Manager Dotson said when it comes to water; the biggest issue is the acquisition of underground. We applied for a grant with the ARPA (America Rescue Plan Act) and took \$154,000 of the total that we received and we applied for a matching grant to purchase another well. The other thing the City is doing is taking the rest of that money to put in a 2.5 million gallon tank. He got an email saying the feds just got a bunch of more money to grant out. The future plan is to take our users off of culinary and put them on irrigation. He explains who is going to irrigation. The Woolsey Well is now an irrigation well. We don't pump those very much because we connected it to the school and others and have far more volume now and the pressure is a lot less. We acquired the Garden Park Well and test pumped at 1200 gallons per minute. It has high nitrates and was built in 1978 or before, for Garden Park Subdivision. The idea is to take that well and bring it over to Maple to the North and provide irrigation to all the properties there and take it north and loop it to our secondary irrigation line. Doug asked what we need to do in order to avoid the haircut when water goes to municipal. City Manager Dotson said we can do some balancing with municipal rights and irrigation. He has also been discussing the potential to acquire younger water rights. They transfer some old irrigation rights to irrigate outside in some places to offset the demand from the culinary. The idea is maybe we can help development a little bit and not hurt the City. Spencer mentioned amount of recharge we are doing right now on projects. These are great numbers but need hard data. We have saved the first cut. He believes that the way we interpret that GMP today will be very different when they make the first cut. City Manager Dotson said that as we adapt and change and as we work toward mitigating that first cut, there is potential that that first cut won't happen. We are changing the use of our wells and taking the culinary out. The other thing is we have been promoting to cedar city to take the reuse water from the wastewater treatment plant and let the farmers use it around here. It's good for alfalfa. The plan is very general regarding reuse. We have been working with Cedar City and they are doing the thing we are doing with the environmental assessment. NRCS has authorized adding the reuse water into drainage pond storage and included that in the environmental assessment. Paul Monroe from the district as given an idea of the design and how big would have to be. The intent is so if federal money comes up from storm water. We now have an MOU. We are all

participating in the environmental assessment in the reuse project. There are some that say let's dig ditches and put the storm water to farms, but then we get into water rights. You are still using water that has already been used. Spencer said Enoch City's water right is the water goes in and you both have water rights in the reuse treatment plant and a prorated % goes to Enoch. Now Cedar acknowledges that we both have water in there. Annually we have 126 million gallons that go into the sewer treatment plant per year from just Enoch. Steve Woolsey excused himself. There is discussion on the West Desert Water. Spencer said it's a 14-15 year project and explains what the plan is for this. We are down to about 9 years to when water will be here as long as we stay on schedule. City Manager Dotson said once the environmental litigation is complete, it will go quickly. If we continue the growth pattern and others are not, then it will push harder. Next he went over our rates. They are over a year into the rate study. The challenges are that we don't know when most of our infrastructure was put in. GIS is the old stuff and we are guessing on some of it. They are calculating the life span of all of that and when it needs maintenance or replaced. We do have funding to do some small infrastructure repairs but not replacements. It was 2005 or 2004 to be a tiered structure. Now it's cheaper to buy more water than less. We want to present at tier structure to the Water Board and City Council that makes sense and based upon some real information. Doug said regarding the rate that structure needs to reflect a rainy day fund; he thought there were some limitations from the state on what we could use it for. City Manager Dotson said it needs to be related to the infrastructure that we are using it for. He asked for any question or anything they wanted to work on. There was discussion on other cities requiring landscaping and water conservation. How do we enforce residents to landscape and can the City offer incentives? There was also discussion on starting with the new developments in CCNRs, so a developer can bring in less water and if they want to provide more green in their subdivision then they have to give more water rights at the time of development. City Manager Dotson asked what if there are no water rights left for sale. Spencer said that he didn't know. Coby said that he sees messages daily looking for water rights and there are none. People are hoarding them. There was no more discussion.

4. **PUBLIC COMMENTS - none**
5. **BOARD/STAFF REPORTS - none**
6. **ADJOURN – There is no quorum**

Julie Watson, Recorder

Date

Meeting ID: 857 8561 6996

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Enoch City Water Conservation Agreement

This Enoch City Water Conservation Agreement provides a property owner with a means to select a lower Conservation Tier, use less water, and thereby pay a lower, initial water rate. A selection of a lower Conservation Tier, also results in the separation of the unused portion, for subsequent transfer. The property owner may submit an Enoch City Water Conservation Agreement, and request a Conservation Tier Change, only once in any twelve month period. The various Conservation Tiers and respective water use, and Rates and Penalties are set forth on the Enoch City Conservation Tier Schedule.

Conservation Tier Schedule (Illustrated Rate Schedule)					
Tier	Typical Lot Size	Maximum Grass Sq/Ft	Gal/Month	Rate	Penalty
1	0.25	1,700 Sq/Ft	12,600	0.07¢/Gal	0.50¢/Gal
2	0.33	2,300 Sq/Ft	14,200	0.08¢/Gal	0.49¢/Gal
3	0.5	3,500 Sq/Ft	17,400	0.09¢/Gal	0.48¢/Gal
4	0.75	5,300 Sq/Ft	22,200	0.10¢/Gal	0.46¢/Gal
5	1	7,000 Sq/Ft	27,000	0.11¢/Gal	0.44¢/Gal
6	1.25	8,800 Sq/Ft	31,800	0.12¢/Gal	0.42¢/Gal
7	1.5	10,600 Sq/Ft	36,600	0.13¢/Gal	0.40¢/Gal
8	1.75	12,400 Sq/Ft	41,400	0.14¢/Gal	0.40¢/Gal
9	2	14,100 Sq/Ft	46,200	0.15¢/Gal	0.40¢/Gal

Property Owner's Full Name: _____

Property Add: _____, Subdivision: _____ Parcel No: _____

Present Conservation Tier: _____ date: _____

Proposed Conservation Tier: _____ date: _____

Separated, Transferable Tier: _____ date: _____

By signing, I warrant I am the record, title holder to the above listed property. I further give permission for Enoch City to change my property Conservation Tier with the Enoch City water utility.

If this Agreement requests a change from a lower to a higher Conservation Tier, the corresponding Water Acquisition Fee will be charged, and I agree to pay that Fee prior to changing the Conservation Tier.

Enoch City Water Units with Conservation Tiers assigned as Cul, SEC, MFD, COM, or INS may not be changed or transferred with this form or otherwise.

Enoch City Recorder Signature: _____ **Date:** _____

#2 - 8 pgs.

**ENOCH CITY
RESOLUTION NO.
WATER RIGHT EXCHANGE RATES
(Developer Provisions - §12.250.00.2503 Step 12)
(Individual Provisions - §14.100.113)**

Draft for Review by Enoch City Planning Commission and City Leaders

WHEREAS, Enoch City provides water for residential, commercial, and industrial uses consistent with City ordinances and other laws, including Utah State laws governing water rights – which are administered by the State Engineer;

WHEREAS, the State Engineer has determined, after extensive study and many public hearings, that the water rights in the Cedar City Valley Aquifer have been over-appropriated.

WHEREAS, the State Engineer has determined the estimated safe yield for the Cedar City Valley groundwater basin is 21,000 acre-feet per year. The estimated current average depletion from the groundwater basin is 28,000 acre-feet per year.

WHEREAS, consistent with statutory duty, the State Engineer has closed the Cedar City Valley basin to further appropriation of water rights and instituted a Groundwater Management Plan that will suspend existing water rights with priority dates after July 25, 1934, if water is not first regulated, conserved, and replenished in the Cedar City Valley Basin;

WHEREAS, an ordinance is needed to engage broad citizen participation to help conserve and otherwise assure the adequacy of future water supplies and associated water rights.

WHEREAS, the mission of the City is to manage limited water resources and to promote water conservation;

BE IT RESOLVED, that the City is considering the following ordinances to protect and preserve Enoch City's ability to continue to provide water at reasonable rates and without excessive costs.

REVISED ENOCH CITY ORDINANCE § 12.2500.2503, Step 12 (Water Acquisition)

City Staff and City Engineer Review of Final Plat. The City Staff and City Engineer shall review the Final Plat for accuracy and completeness. MOVE TO BE STEP 13

A. **Water Acquisition Fee.** A Developer seeking approval of a development application for single family dwelling units, and to secure new rights to use the Enoch City water system, must pay a Water Acquisition Fee, based upon the property acreage and expected water use. A Developer may pay the Water Acquisition Fee in cash, or by transferring acceptable water rights, or by transferring Enoch City Water Blocks, or a combination of all three. The Water Acquisition Fee does not fulfill the requirement nor obviate the need to otherwise pay water connection fees. The Developer shall submit a Subdivision Water Schedule, with each Subdivision Application, designating the selected Conservation Tier for each lot, which determines the Water Acquisition Fee and resulting water rates for each lot.

1. **Cash.** Developers paying the Fee in cash will pay the amount corresponding to the desired water use as per the Acquisition Fee Schedule, which values the water based upon a percentage of the appraised value of a one acre-foot Priority Water Right in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73, and a priority date no younger than July 25, 1934 (“Priority Water Right”).
 - a. As often as deemed prudent by Enoch City Staff, but at least annually, and typically every six months, Enoch City will contract for and obtain an appraisal of the current fair market value of a Priority Water Rights as described in this subsection. These appraisals assist the City in its own purchase of acceptable water rights and are the basis for the Water Acquisition Fees levied by the City.
2. **Water Right Transfer.** Developers paying the Fee by transfer of water rights shall do so with proof of use, proof of ownership through a chain of title, and will pay all costs incurred for deeding and transferring the water. When deeding water rights to Enoch City, the water right must be in the Cedar City Valley Drainage on the north side of Highway 56 with a water right prefix of 73. The water right must conform with one of the following:
 - a. A priority date equal to or prior to July 25, 1934 (“Priority Water Right”); or
 - b. A priority date after July 25, 1934, which at the time of transfer to Enoch City must have at least 10 years before extinguishment under the State Engineer’s Water Management Plan for the Cedar City Valley Aquifer.
 - i. For purposes of payment of the Water Acquisition Fee, these post-July 25, 1934 water rights are deemed to have a fair market value equal to 1% of a subsection 2(a) water right (priority before July 25, 1934) for each full year remaining at the time of delivery to and acceptance by Enoch City before extinguishment under the State Engineer’s Water Management Plan for the Cedar City Valley Aquifer. The following Water Right Valuation Schedule illustrates the value of each water right as of 2022, quantified as a percentage of a Priority Water Right.

Water Rights Acquisition Fee Chart 2022		
Water Priority Date	Suspension Date	% Value
Jan 10, 1966 - Dec 31, 1957	January 1, 2035	13%
Dec 30, 1957 - Dec 31, 1954	January 1, 2050	28%
Dec 30, 1954 - Dec 31, 1951	January 1, 2060	38%
Dec 30, 1951 - Dec 31, 1935	January 1, 2070	48%
Dec 30, 1935 - Jul 25, 1934	January 1, 2080	58%
July 25, 1934 - & Earlier	Not Suspended	100%

3. **Enoch City Water Units Transfer.** A Developer may pay the Water Acquisition Fee by transferring Enoch City Water Units, each of which is deemed to have a value equal to the right to use the corresponding amount of water, according to the designated Conservation Tier, transferred therewith. Enoch City Water Units represent the right to use the Enoch City water system and are either acquired (a) in exchange for the payment of a Water Acquisition Fee, or (b) by purchasing them from another lot owner, pursuant to Enoch City Ordinances, and pursuant to a properly completed Water Transfer Agreement and Water Conservation Agreement, which are obtained from, approved by, executed by, and placed on file with Enoch City.
4. **Process to Transfer Water Rights.** The following process shall be followed for a person developing land within the City to transfer water rights to Enoch City:
 - a. The Developer proposing the transfer shall submit a title report showing the type of water right, ownership of the right, and any liens or encumbrances. The Developer shall also provide a title insurance policy in a sum adequate to cover the appraised value of the water rights the policy is covering.
 - b. A change application with the Utah State Engineer shall be completed at the expense of the party developing the land. Information to be included in the change application will be provided by Enoch City, including the new points of diversion. The change application must be approved by the State Engineer prior to transferring water rights to the City on the books of the State of Utah Division of Water Rights. This transfer may also be conditioned on approval of the subdivision application pending before the City that caused the Developer to transfer the water rights.
 - c. A deed transferring the water rights to Enoch City shall be completed and held prior to the subdivision application approval. The deed transferring ownership may be held either by the City or in an escrow account paid for by the Developer. Once the subdivision application and change application receive approval, the deed will be recorded.
 - d. If the Division of Water Rights has not made a final decision on the change application prior to the subdivision approval, then the Developer shall post a cash bond with the City in the amount of the water acquisition fee.

- e. If at any point in this process, the change application is denied by the Division of Water Rights then the Developer can pay the water acquisition fee in lieu of providing water rights. However, if a denial is based on the Developer's failure to timely provide information or payments to the Division of Water Rights during the change application process, then the Developer cannot pay the water acquisition fee in lieu of providing water rights.
- f. If the water rights proposed to be transferred are supplemental, recharge/recovery, recovery or something other than from a primary underground source, then prior to completing the subdivision application the Developer shall obtain a change application with a complete determination through the State of Utah Division of Water Rights so that the scope and characteristics of the water right is determined.

B. Exemptions. The following are exempt from the Water Acquisition Fee.

1. Nominally Irrigated Areas. In an effort to encourage xeriscape and other forms of landscaping or natural areas requiring nominal water and irrigation, such will not be subject to the requirements of this Ordinance or require a Water Acquisition Fee. Nominally Irrigated Areas shall include trees, shrubs, and may include other plants, or xeriscape landscaping using only nominal water systems such as limited bubbler or drip systems. For purposes of the Water Acquisition Fee, the landscaping being measured is primarily grass or sod, and not Nominally Irrigated Areas, and other areas as reasonably determined by Enoch City.
2. Open space exemptions. If at the time of final plat approval, or pulling of a building permit, land is deeded to Enoch City as a dedicated street or for undeveloped open space, parks and recreation, or placed in a conservation easement that complies with the provisions of Title 57, Chapter 18, Sections 1 through 7, Utah Code Annotated, 1953 as amended, then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights or payment of fees. Additionally, if land in a subdivision is to be held as common area and is undeveloped, unirrigated, or only nominally irrigated, then that land is not subject to the requirements of this ordinance that mandate the payment of Water Acquisition Fees.
3. Public lands exemption. If at the time of annexation, the annexed property is owned by the Bureau of Land Management or the U.S. Forest Service then that acreage is not subject to the requirements of this ordinance that mandate the deeding of water rights. This exception only applies to annexation and not when the property is platted as a residential subdivision or receives a building permit.

4. City Exemption. Enoch City is not required to deed water or pay a fee if the City develops land. A purchaser of property from the City will have to pay the Water Acquisition Fee to the City consistent with this ordinance.

C. **Water Acquisition Fee Schedule and Tier System.** A Developer seeking approval of a single family lot development must first designate a Conservation Tier and pay the corresponding Water Acquisition Fee for each single-family lot. The selected Conservation Tier, will establish the lot owner's expected water use, and the corresponding Water Acquisition Fee, and the resulting water rates.

1. The Water Acquisition Fee Schedule indicates the Water Acquisition Fee for each Conservation Tier that could be selected, as a percentage of a full, one-acre-foot, Priority Water Right, and the corresponding water use.

Acquisition Fee Schedule					
Tier	Typical Lot Size	Total Max Yard Size	Gallons/Month	Acquisition Fee	Actual Use
1	0.25	1,700 Sq/Ft	12,600	60%	46%
2	0.33	2,300 Sq/Ft	14,200	65%	52%
3	0.5	3,500 Sq/Ft	17,400	75%	64%
4	0.75	5,300 Sq/Ft	22,000	90%	82%
5	1	7,000 Sq/Ft	27,000	100%	99%
6	1.25	8,800 Sq/Ft	31,800	125%	117%
7	1.5	10,600 Sq/Ft	36,600	150%	135%
8	1.75	12,400 Sq/Ft	41,400	175%	152%
9	2	14,100 Sq/Ft	46,200	200%	170%
CUL	NA	NA (indoor use)	8,000	30%	
SEC	NA	7,000 Sq/Ft	19,000	70%	
MFD	#AF Purchased	7,000 Sq/Ft/AF	27,000/AF	100%	99%
COM	#AF Purchased	7,000 Sq/Ft/AF	27,000/AF	100%	99%
INST	#AF Purchased	7,000 Sq/Ft/AF	27,000/AF	100%	99%

2. The Conservation Tier Schedule indicates the lot owner's expected water use and resulting water rate. The rates and penalties set forth in the Conservation Tier Schedule are for illustration purposes only; Enoch City will, from time to time, change such water rates and penalties for each Tier.

Conservation Tier Schedule (Illustrated Rate Schedule)					
Tier	Typical Lot Size	Maximum Grass Sq/Ft	Gal/Month	Rate	Penalty
1	0.25	1,700 Sq/Ft	12,600	0.07¢/Gal	0.50¢/Gal
2	0.33	2,300 Sq/Ft	14,200	0.08¢/Gal	0.49¢/Gal
3	0.5	3,500 Sq/Ft	17,400	0.09¢/Gal	0.48¢/Gal
4	0.75	5,300 Sq/Ft	22,200	0.10¢/Gal	0.46¢/Gal

5	1	7,000 Sq/Ft	27,000	0.11¢/Gal	0.44¢/Gal
6	1.25	8,800 Sq/Ft	31,800	0.12¢/Gal	0.42¢/Gal
7	1.5	10,600 Sq/Ft	36,600	0.13¢/Gal	0.40¢/Gal
8	1.75	12,400 Sq/Ft	41,400	0.14¢/Gal	0.40¢/Gal
9	2	14,100 Sq/Ft	46,200	0.15¢/Gal	0.40¢/Gal
CUL	NA	NA (indoor use)	8,000	0.07¢/Gal	0.51¢/Gal
SEC	NA	7,000 Sq/Ft	19,000	0.11¢/Gal	0.44¢/Gal
MFD	#AF Purchased	7,000 Sq/Ft/AF	27,000/AF	0.07¢/Gal	0.50¢/Gal
COM	#AF Purchased	7,000 Sq/Ft/AF	27,000/AF	0.11¢/Gal	0.44¢/Gal
INST	#AF Purchased	7,000 Sq/Ft/AF	27,000/AF	0.11¢/Gal	0.44¢/Gal

D. Properties with Both Culinary & Secondary Water. Developers seeking to approve properties, with a single family unit, and with both Culinary and Secondary water meters are subject to the following. The Water Acquisition Fee for a new water connection on such properties shall be equal to the value of a full, one acre, Priority Water Right. However, the Enoch City Water Units assigned to such a property shall be as follows: .3 AF of Enoch City Water Units, corresponding to the culinary water, which are not transferable and shall remain with the property, and .7 AF of Enoch City Water Units, corresponding to the Secondary Water, which are not transferable and shall remain with the property. The Conservation Tier Schedule for such properties shall be permanently assigned as follows: The .3 AF of Culinary water shall be set at the Conservation Tier of "CUL," and subject to the corresponding "CUL" water rates. The Secondary water shall be set at the Conservation Tier of "SEC," and shall be subject to the corresponding SEC water rates. Properties in Enoch City with both a Culinary water meter and a Secondary water meter, will receive an Enoch City water bill separately designating the rates for each water meter.

E. Multi-Residential Developments. Developers seeking approval of a Multi-Residential Development must provide an engineered Annual Water Estimate, illustrating the total annual, acre feet of water estimated to be used by the Development ("Annual Water Estimate"), to be reviewed and approved by Enoch City. The initial Water Acquisition Fee and the subsequent water rate will be calculated based on this determination. For purposes of this Annual Water Estimate, the number of Multi-Residential Units should be multiplied by .3 acre feet of water, and each sq/ft of proposed grass should be divided by 10,057, to derive the Development's Annual Water Estimate, in terms of Acre Feet (ie: a twenty unit subdivision (20 units x .3 = 6AF) with 10,000 square feet of grass (10,000 sq/ft grass / 10,057 = .994AF) would have a 6.994AF Annual Water Estimate). The Water Acquisition Fee will be determined by multiplying the Annual Water Estimate by the priority Water Right Value (ie: a Development with a 6.994AF Annual Water Estimate will pay 6.995 multiplied by the Conservation MFD Tier, which is 100% of the appraisal Priority Water Right). The Development would subsequently pay for water at a rate of 6.994AF multiplied by the Tier 1 Rate (ie: a MRD that is estimated to use 6.994AF of water annually, will pay 6.994 times the Tier 1 Rate).

The Water Units assigned to a Multi-Family Development will be assigned under the “MFD” Conservation Tier. These Water Units are not transferable and must remain with the Development.

If any Multi-Family Development is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee to address the extra water used.

- F. **Commercial, Industrial, and Manufacturing Developments.** Developers seeking approval for commercial, industrial, or manufacturing developments must provide an engineered Annual Water Estimate, illustrating the total, annual, acre feet of water estimated to be used for each lot, to be reviewed and approved by Enoch City. The initial Water Acquisition Fee and the subsequent water rate will be calculated based on this determination. For purposes of this Annual Water Estimate, the engineer must determine the various uses and estimate the amount of water to be used for the property, including the proposed square footage of grass, which should be divided by 10,057, to derive the total annual, number of acre feet of water used for grass areas. The Water Acquisition Fee will be determined by multiplying the Annual Water Estimate by the appraised Priority Water Right. The subsequent water rate will likewise be determined by multiplying the Annual Water Estimate by the Tier 1 Rate.

The Water Units assigned to a Commercial, Industrial, or Manufacturing lot will be assigned under the “Com” Conservation Tier. These Water Units are not transferable and must remain with the property.

If any Commercial, Industrial, or Manufacturing property is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee to address the extra water used.

- G. **Institutional Properties.** Developers seeking approval of Institutional Developments, including schools, religious buildings, and other properties of nonprofit organizations, must present an engineered Annual Water Estimate, illustrating the total, annual acre feet of water estimated to be used for such property, to be reviewed and approved by Enoch City. The initial Water Acquisition Fee and the subsequent water rate will be based upon this determination. For purposes of this Annual Water Estimate, the engineer must determine the various uses and estimate the amount of water to be used for the property, including the proposed square footage of grass, which should be divided by 10,057, to derive the total annual, number of acre feet of water used for grass areas. The Water Acquisition Fee will be determined by multiplying the Annual Water Estimate by the appraised Priority Water Right. The subsequent water rate will likewise be determined by multiplying the Annual Water Estimate by the Tier 1 Rate.

The Water Units assigned to an Institutional property will be assigned under “INS” Conservation Tier. These Water Units are not transferable and must remain with the property.

If any Institutional property is ever found to use more water or have more square footage of grass than the Annual Water Estimate, that property will be required to pay an additional Water Acquisition Fee to address the extra water used.

DRAFT

#3

Enoch City Water Transfer Agreement

This Enoch City Water Transfer Agreement provides a property owner with a means to transfer unused portions of Enoch City Water Units, derived from the property owner's prior reduction in Conservation Tiers, pursuant to an Enoch City Water Conservation Agreement. The Enoch City Conservation Tier Schedule shows the various Conservation Tiers and corresponding Gallons/Month that may be assigned to a given Enoch City Water Unit.

Conservation Tier Schedule			(Illustrated Rate Schedule)		
Tier	Typical Lot Size	Maximum Grass Sq/Ft	Gal/Month	Rate	Penalty
1	0.25	1,700 Sq/Ft	12,600	0.07¢/Gal	0.50¢/Gal
2	0.33	2,300 Sq/Ft	14,200	0.08¢/Gal	0.49¢/Gal
3	0.5	3,500 Sq/Ft	17,400	0.09¢/Gal	0.48¢/Gal
4	0.75	5,300 Sq/Ft	22,200	0.10¢/Gal	0.46¢/Gal
5	1	7,000 Sq/Ft	27,000	0.11¢/Gal	0.44¢/Gal
6	1.25	8,800 Sq/Ft	31,800	0.12¢/Gal	0.42¢/Gal
7	1.5	10,600 Sq/Ft	36,600	0.13¢/Gal	0.40¢/Gal
8	1.75	12,400 Sq/Ft	41,400	0.14¢/Gal	0.40¢/Gal
9	2	14,100 Sq/Ft	46,200	0.15¢/Gal	0.40¢/Gal

For this Enoch City Water Transfer Agreement to be effective it must correspond with a prior Enoch City Water Conservation Agreement, showing separated, unused and transferrable Enoch City Water Units, relating to a relinquished, higher Conservation tier. Any owner agreeing to change the Corresponding Tier to a lower one may transfer the difference in Enoch City Water Units to another. **This Agreement must be properly completed, approved, executed, and placed on file with Enoch City before it becomes effective.**

By signing this Enoch City Water Transfer Agreement, Transferring Property Owner warrants (1) that it is the record title owner of the applicable property, (2) that it has previously executed an Enoch City Water Conservation Agreement agreeing to use less water and reduce its Conservation Tier, (3) and that it has agreed to sell the separated portion of Enoch City Water Units, to the undersigned Transferee.

Transferring Property Owner's Full Name: _____

Transferring Property Add: _____, Subdivision: _____ Parcel No: _____

Enoch City Water Conservation Agreement (showing Reduced Conservation Tiers): _____

Enoch City Water Units being Transferred: _____ Gallons/MO

By signing this Enoch City Water Transfer Agreement, the Transferee acknowledges it has received the described Enoch City Water Unit(s), which only have value if used on property within Enoch City limits.

Transferee's Full Name: _____

Enoch City Water Units with Conservation Tiers assigned as Cul, SEC, MFD, COM, or INS may not be changed or transferred with this form or otherwise.

Enoch City Recorder Signature: _____ Date: _____