

MIDWAY WATER ADVISORY BOARD
MONDAY November 16, 2020
MEETING MINUTES

Minutes of the Midway Water Advisory Board meeting held November 16, 2020 at 6:00 p.m. in the Midway City Office Building, 75 North 100 West, Midway, UT.

Roll Call

Irrigation Members: Irrigation President/Chairman Steve Farrell, Grant Kohler, Brent Kelly; Midway City: City Councilman Steven Dougherty, City Councilman Jeff Drury, Wes Johnson, City Engineer, Michael Henke, City Planner and Jennifer Sweat, Treasurer/Water Advisory Board Secretary.

Mayor/Co-Chairman Celeste Johnson was excused from the meeting tonight. Councilman Dougherty and Councilman Drury attended the meeting virtually via Zoom.

Chairman Farrell indicated that tonight's meeting was the rescheduled meeting from November 2, 2020 which was the regular day for the Water Advisory Board, therefore tonight is a special meeting for the review of the Homestead Resort.

Homestead Resort – 700 North Homestead Drive.

Michael Henke, City Planner stated the following information regarding the subdivision:

- 72.01 acres
- Resort Zone
- 2 Phases (1 plat)
- Sensitive lands on the property include The Crater and wetlands.

The board reviewed the proposal and reviewed the property via google maps, and the properties on the plat map for the Homestead Resort

Michael Henke, City Planner presented the following staff recommendation for water requirements received from Paul Berg, project engineer:

**The Homestead Resort Master Plan
Additional Water Right Calculations**

July 6, 2020

Prepared by: Paul Berg, P.E., Berg Engineering

Project Information

Tables 1-3 provide the water right requirements and additional water uses for new The Homestead Resort Master Plan.

Resolution 2008-09 A Master Plan Development Agreement for The Homestead Resort states in Section 3.1(b)(4) - Water
"On May 5, 2008 the Midway Advisory Board determined that the Developer owns or leases enough water to provide an additional 107 acre-feet of water which is necessary to serve the improvements (including the golf course) identified on the project"

Existing uses at The Homestead that will be replaced with similar facilities are not considered in the analysis. New or expanded uses must dedicate additional water rights. These new or expanded uses are calculated below. Credits for existing uses that will be removed are also shown. Existing uses that will be replaced within the resort include the golf clubhouse, restaurants, conference rooms and existing restrooms.

The water right calculations below are based on the master plan dated July 2, 2020.

Table 1 - Water Use Requirements

Use	Water Requirement		Source of Requirement	Return Flow Requirement	Total Required	
	Quantity	Unit			Quantity	Unit
Irrigated / landscaped area	3.00	acre-feet/acre	Midway Water Board	0.00	3.00	acre-feet/acre
Hotel resort unit	150	gpd/unit	Table 1, Utah Code R309-510	1.77	0.30	acre-feet/unit
Restaurant	35	gpd/seat	Table 2, Utah Code R309-510	1.77	0.07	acre-feet/seat
Swimming pools	10	gpd/person	Table 2, Utah Code R309-510	1.77	0.02	acre-feet/person
Retail / commercial / amenities	500	gpd/toilet	Table 2, Utah Code R309-510	1.77	0.99	acre-feet/toilet
Visitors (conference) center	5	gpd/person	Table 2, Utah Code R309-510	1.77	0.01	acre-feet/person

Table 2 - Change in Water Uses at The Homestead

Use	Quantity	Unit	Comments
Irrigated area removed for development	-2.16	acres	
Irrigated area removed for ponds	-0.15	acres	
Ponds being removed	-0.72	acres	
Irrigated area added to resort	11.15	acres	
Pond area added to resort	0.79	acres	
Existing units to be removed	-12	units	Only 12 existing units to be removed, 125 of the existing 137 units will remain.
New hotel units	75	units	
New restaurants	400	seats	
Swimming pools	441	person	See note 1.
Retail / commercial / amenities / spa	16	toilet	Additional mens and womens toilet stalls in commercial and amenity areas
Conference Center and Wedding Barn	650	person	Proposed additional conference center capacity at The Homestead

Table 3 - Additional Water Needs for The Homestead Resort

Use	Project Quantity	Unit	Water Requirement with Return Flow	Unit	Total (acre-feet)
Credit for removed irrigated area	2.16	acres	-3.00	acre-feet/acre	-6.48
Credit for removed ponds	0.15	acres	-3.00	acre-feet/acre	-0.45
Pond area being removed	0.72	acres	-3.00	acre-feet/acre	-2.16
Credit for removed hotel units	12	units	-0.30	acre-feet/unit	-3.60
Irrigated area added to resort	11.15	acres	3.00	acre-feet/acre	33.45
Pond area added to resort	0.79	acres	3.00	acre-feet/acre	2.37
New hotel units	75	units	0.30	acre-feet/unit	22.50
New restaurant spaces	400	seats	0.07	acre-feet/person	28.00
Swimming Pools	441	person	0.02	acre-feet/person	8.82
Retail / commercial / amenities / spa	16	toilet	0.99	acre-feet/toilet	15.84
Conference Center and Wedding Barn	650	person	0.01	acre-feet/person	6.50
					104.79 acre-feet of add

Notes:

- The existing swimming pools, hot tub and fitness center has an existing capacity of 194 people. The new swimming pools have a proposed capacity of 635 people for a net difference of 441.
- 1 acre-foot per year = 892 gallons per day
- The Midway Water Board policy was recently changed from 1.0 acre-feet per home to 0.80 acre-feet per home. This change represents a 1.77x return flow. The previous policy was 2x.

November 16, 2020

City Planner Henke also presented the calculations that were figured by Wes Johnson, City Engineer, and himself:

The Homestead Resort Preliminary Plan							
Additional Water Right Calculations							
October 19, 2020							
Prepared by: Paul Berg, P.E., Berg Engineering							
Project Information							
Tables 1-3 provide the water right requirements and additional water uses for new The Homestead Resort Master Plan.							
Resolution 2008-09 A Master Plan Development Agreement for The Homestead Resort states in Section 3.1(b)(4) - Water "On May 5, 2008 the Midway Advisory Board determined that the Developer owns or leases enough water to provide an additional 107 acre-feet of water which is necessary to serve the improvements (including the golf course) identified on the project."							
Existing uses at The Homestead that will be replaced with similar facilities are not considered in the analysis. New or expanded uses must dedicate additional water rights. These new or expanded uses are calculated below. Credits for existing uses that will be removed are also shown. Existing uses that will be replaced within the resort include the golf clubhouse, restaurants, conference rooms, house keeping and existing restrooms.							
The water right calculations below are based on the preliminary plan dated October 13, 2020.							
Table 1 - Water Use Requirements							
Use	Water Requirement		Source of Requirement	Return Flow Requirement	Total Required		
	Quantity	Unit			Quantity	Unit	
Irrigated / landscaped area	3.00	acre-feet/acre	Midway Water Board	0.00	3.00	acre-feet/acre	
Hotel resort unit	150	gpd/unit	Table 1, Utah Code R309-510	1.77	0.30	acre-feet/unit	0.30
Restaurant	35	gpd/seat	Table 2, Utah Code R309-510	1.77	0.07	acre-feet/seat	0.07
Swimming pools	10	gpd/person	Table 2, Utah Code R309-510	1.77	0.02	acre-feet/person	0.02
Retail and commercial	500	gpd/toilet	Table 2, Utah Code R309-510	1.77	0.99	acre-feet/toilet	0.99
Visitors (conference) center	5	gpd/person	Table 2, Utah Code R309-510	1.77	0.01	acre-feet/person	0.01
Spa and activity center	25	gpd/person	Table 2, Utah Code R309-510	1.77	0.05	acre-feet/person	0.05
Table 2 - Change in Water Uses at The Homestead							
Use	Quantity	Unit	Comments				
Irrigated area removed for development	-2.16	acres					
Irrigated area removed for ponds	-0.15	acres					
Ponds being removed	-0.72	acres					
Irrigated area added to resort	11.15	acres					
Pond area added to resort	0.79	acres	ERUs	8.91			
Existing units to be removed	-12	units	-12.00		Only 12 existing units to be removed, 125 of the existing 137 units will remain.		
Residential homes	5	homes	5.00				
New hotel units	49	units	18.38		42 units in 6-plex buildings, 4 in Virginia House and 3 in Center House		
Additional restaurants seating	130	seats	11.38		See note 4.		
Additional swimming pool capacity	206	person	5.15		See note 1.		
Retail and commercial	2	toilet	2.50		Additional mens and womens toilet stalls in commercial and amenity areas		
Conference Center and Wedding Barn	864	person	10.80		Proposed additional conference center capacity at The Homestead		
Spa	50	person	3.13		Based on gym participant in the state code.		
Activity Center	40	person	2.50		Based on gym participant in the state code.		
							46.83

November 16, 2020

Table 3 - Additional Water Needs for The Homestead Resort

Use	Project Quantity	Unit	Water Requirement with Return Flow	Unit	Total (acre-feet)
Credit for removed irrigated area	2.16	acres	-3.00	acre-feet/acre	-6.48
Credit for removed ponds	0.15	acres	-3.00	acre-feet/acre	-0.45
Pond area being removed	0.72	acres	-3.00	acre-feet/acre	-2.16
Credit for removed hotel units	12	units	-0.30	acre-feet/unit	-3.60
Irrigated area added to resort	11.15	acres	3.00	acre-feet/acre	33.45
Pond area added to resort	0.79	acres	3.00	acre-feet/acre	2.37
Residential homes	5	homes	0.80	acre-feet/home	4.00
New hotel units	49	units	0.30	acre-feet/unit	14.70
New restaurant spaces	130	seats	0.07	acre-feet/person	9.10
Swimming Pools	206	person	0.02	acre-feet/person	4.12
Retail and commercial	2	toilet	0.99	acre-feet/toilet	1.98
Conference Center and Wedding Barn	864	person	0.01	acre-feet/person	8.64
Spa	50	person	0.05	acre-feet/person	2.50
Activity Center	40	person	0.05	acre-feet/person	2.00
					70.17 acre-feet of additional water rights for master plan

Notes:

1. The existing swimming pools, hot tub and fitness center has an existing capacity of 194 people. The new swimming pools have a proposed capacity of 400 people for a net difference of 206.
2. 1 acre-feet per year = 892 gallons per day
3. The Midway Water Board policy was recently changed from 1.0 acre-feet per home to 0.80 acre-feet per home. This change represents a 1.77x return flow. The previous policy was 2x.
4. The existing restaurants have a 172 seating capacity (Simons 96 and Fanny's 76). The new restaurants, bars and lounges have a capacity of 302 for an increase in restaurant capacity of 130 seats.

- \ 49 X 150 / 400 (49 X 150 gpd / 400 gal per ERU)
- ∫ 302 X 35 / 400 (302 seats, 35 gpd per seat, 400 gpd per ERU)
- ∩ 206 x 10 / 400 (206 people, 10 gpd per per, 400 gpd per ERU)
- ∪ 2 X 500 / 400 (2 toilets, 500 gpd per toilet, 400 gpd per ERU)
- ≡ 864 X 5 / 400 (864 people, 5 gpd, 400 gpd per ERU)
- ∴ 50 X 25 / 400 (50 people, 50 gpd, 400 gpd per ERU)
- ∵ 40 X 25 / 400 (50 people, 50 gpd, 400 gpd per ERU)

The board discussed the various calculations for the project and discussed the water for the golf course. The board also discussed the previous water board motions recognizing water for the Homestead Resort in 2019 when Watts Enterprise was looking at the property. Chairman Farrell read the motion:

Motion: Midway Irrigation President/Co-Chairman Farrell made a motion that we again recognize that the Homestead owns 57.5 shares tied up in certificate number # 3788, that they own 3 shares with Midway City/Turnberry in certificate number #3989, they have 33.84 shares in perpetual leases, they have a 40 share lease with the State of Utah that has a 50 year term, with 28 years remaining, which gives them a total amount of shares leased as 73.84 shares, and combined with the ownership shares they have a total of 134.34 shares of water available for their project. The board accepts documentation provided by Judge Stuart Waldrip and Steve Eddington as legal notice given for the perpetual leases, (Sally Brinton (3), Keith Gertsch (1), Kyle Robertson (2), and Cottages on the Green (18.50)) and they will follow up with the UCC filing. City Councilman Kenny VanWagoner seconded the motion.

Chairman Farrell stated that he felt that all the water was all here, the board just wanted to tie all the water to the project. The board felt that Paul needed to account for the golf course and for Phase one of the Master Plan. The board discussed private water, and Paul Berg indicated that no private water would be used. The Homestead has hired a water expert to help with the adjudication but again at this time they are not using private water.

The board discussed the water use, and how that is handled? Chairman Farrell stated and the board and staff agreed that the Homestead had grandfathered rights.

City Planner Henke presented the following as the possible water recommendation for the property:

- Golf Course Irrigated Acreage
 - 29.36 x 3 = 88.08 acre feet

- Resort Care
 - 70.17 acre feet
- Total for the master plan would be 158.25 acre feet of water.

Chairman Steve Farrell if there were further discussion?

There was discussion on if the board should approve it as it was presented, because there was still a question on the water for the golf course, and the board didn't want to double use the water. The board and Paul Berg discussed the need for starting to apply for building permits, if something wasn't approved it could possibly hold up those permits. The board all felt comfortable with the amount presented, and thought it would be possible to make a motion, but have them come back to account for the golf course water.

Chairman Steve Farrell if there were further discussion? There was not.

Motion: Midway Irrigation Member Grant Kohler made a motion regarding the Homestead Resort that it is to identify the water needed for the resort core , and that we have a number of 158.25 acre feet needed, which will be used so that if the developer would like to apply for building permits for any new facilities. They will then come back at a later meeting with a complete accounting of the water requirements for the golf course and the board will finalize the plat at that point.

Chairman Steve Farrell asked if there were further questions regarding this item?

Paul Berg added that in order to finalize this, the board would like a map showing water removed from being irrigated, or water being added to irrigated? Chairman Farrell stated that was correct. The board decided to add that to the motion, and because Councilman Drury didn't hear the complete motion before, Chairman Farrell restated the revised motion.

Revised Motion: Midway Irrigation Member Grant Kohler made a motion regarding the Homestead Resort that it is to identify the water needed for the resort core, and that we have a number of 158.25 acre feet needed, which will be used so that if the developer would like to apply for building permits for any new facilities. They will then come back at a later meeting with a complete accounting of the water requirements for the golf course along with a map showing water removed from being irrigated and water being added to be irrigated within the resort cores and then at that point the board can make a final determination of the water needed for the development. City Councilman Jeff Drury 2nd the motion.

The board discussed the number of 158.25 could be increased or it could be decreased depending on what they end up doing. However the board is comfortable that the amount presented tonight of 158.25 would be adequate as presented.

Chairman Steve Farrell asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

Because the next meeting is within 2 weeks, it was decided that most likely the item would come back to the Water Advisory Board on January 4th.

Water Advisory Secretary Jennifer Sweat asked that we approve the General Consent Calendar. Chairman Farrell was not aware that we still needed to do that tonight since it was a special meeting. The General Consent Calendar was presented to the board.

November 16, 2020

General Consent Calendar

Chairman Steve Farrell asked for approval of the General Consent Calendar which consisted of:

- a. Approval of the Agenda for November 16, 2020
- b. Approval of the minutes for October 5, 2020
- c. Approve 2021 Meeting Schedule

Motion: Midway Irrigation Member Brent Kelly made a motion to approve the General Consent Calendar, City Councilman Member Steve Dougherty 2nd the motion.

Chairman Steve Farrell asked if there were further questions regarding this item? There was not

Motion was carried unanimously.

New/Old Business

Chairman Steve Farrell asked if there was any New or Old Business? There was not.

Midway Irrigation Member Grant Kohler moved to adjourn. City Councilman Jeff Drury 2nd the motion. It was carried unanimously. Meeting adjourned at 6:56 p.m.