

MIDWAY WATER ADVISORY BOARD

MONDAY October 7, 2019

MEETING MINUTES

Minutes of the Midway Water Advisory Board meeting held October 7, 2019 at 6:00 p.m. in the Midway City Office Building, 75 North 100 West, Midway, UT.

Roll Call

Irrigation Members: Irrigation President/Co-Chairman Steve Farrell, Grant Kohler and Brent Kelly; Midway City: Mayor/Chairman Celeste Johnson, City Councilman Bob Probst, Michael Henke, City Planner and Jennifer Sweat, Treasurer/Water Advisory Board Secretary. City Councilman Ken VanWagoner was excused from the meeting.

General Consent Calendar

Mayor/Chairman Celeste Johnson asked for approval of the General Consent Calendar which consisted of:

- a. Approval of the Agenda for October 7 2019
- b. Approval of the minutes for August 5 2019

Motion: Irrigation President/Co-Chairman Steve Farrell made a motion to approve the General Consent Calendar. City Council Member Bob Probst 2nd the motion. It was carried unanimously.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not

Motion was carried unanimously.

Grant Kohler arrived at 6:07 p.m. and would now be voting for the irrigation company.

Hughes Residence – Located in Wasatch County

Michael Henke, City Planner presented the following regarding this property

- **6 acres**
- **Historically irrigated area – 3 acres (per applicant)**
- **Petition for 1 culinary connection**
- **Property has a well and 2+ shares**
 - **Well has 0.506 acre feet**
 - **Water Right 55-12416**

The board reviewed the power point presentation, plat maps and discussed the subdivision. The property is located in Wasatch County, but would be annexed when the property next to them (Midway Crest Subdivision) turn in their paperwork for annexation into Midway City. They already are hooked onto sewer. They would like to

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keep the well and turn in the irrigation shares for the culinary connection. The board reviewed the water right on the state website. Midway Irrigation Company easements were discussed. The board also discussed how to require water on the rest of the property if later they wanted to subdivide. Planner Henke stated that they would need to go through the subdivision process, and that is when the water would be calculated and required. At this time they are only requesting a connection for culinary water, not irrigation water outside.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion: Midway Irrigation President/Co-Chairman Steve Farrell made the motion to recommend to City Council that the Hughes Residence Located in Wasatch County be required to turn in 1 acre foot of water for inside use only (culinary water) of Midway Irrigation Water. Also with a note that the existing irrigation easement on the North Property Line of the Hughes Residence remain. Midway Irrigation Member Grant Kohler seconded the motion.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not

Motion was carried unanimously for Recommendation to City Council.

Midway Crest Subdivision – Located in Wasatch County - previously reviewed on August 5, 2019 WB

Michael Henke, City Planner presented the following regarding this property

- **24.24 acre parcel**
- **Located in Wasatch County**
- **In Midway's annexation declaration**
- **1 existing dwelling**
- **Proposals for 5 lots**
- **Property has a well**
 - **Well has 0.45 acre feet**
 - **Water right 55-5631**

The board discussed that the property had been reviewed at the August 5, 2019 water board meeting and a recommendation had been made. However Paul Berg with Berg Engineering was not able to attend that meeting, and had concerns that the board didn't require water to be on the pasture land.

The board reviewed the power point presentation, plat maps, and discussed the subdivision. The board discussed the secondary water meters that would be required on the property which would show the water usage. The board also discussed requirements that are used in Wasatch County when a property hasn't been historically irrigated.

The following was the motion that was made at the August 5, 2019 meeting:

Motion: Midway Irrigation Member Grant Kohler made a motion Midway Crest Subdivision located in Wasatch County be required to turn in 3-acre feet per lot, which would include .8 for inside use and the balance for outside irrigation and remaining water goes to Park Strip. If any extra water is left after subtracting the Park Strip, the remaining water will go to the 5 Lots. Midway Irrigation Member Brent Kelly seconded the motion.

Mayor Johnson felt the motion was vague, however the motion was written word for word, and that can't be changed. The board continued the discussion regarding the property. The conversation at the previous meeting was that the entire property had not been historically irrigated however the board was also concerned about the pasture drying out and not looking as it had historically.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion: Midway Irrigation Member Grant Kohler made a motion to revise the motion from August 5, 2019 for Midway Crest Subdivision located in Wasatch County be required to turn in 17.95-acre feet as presented to Wasatch County, which would allow for the entire property to be irrigated, including the pasture. (Breakdown in supplemental file). Midway Irrigation Member Brent Kelly seconded the motion.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion was carried unanimously.

The Willows at Midway – Rural Preservation Subdivision – 100 South 500 West

Michael Henke, City Planner presented the following regarding this property

- **36.72 acre parcel**
- **RA-1-43 zoning**
- **Proposal contains 5 lots**
- **Shared Private Driveway**
- **Public Trail**
- **FEMA FloodPlan**

The board reviewed the power point presentation, plat maps, and discussed the subdivision. There was items that Planner Henke felt should be discussed, which was Sensitive Lanes (25% slope), Driveway Area, Irrigation Easements, and per the applicant the historically irrigated area was 26.37 acres.

Planner Henke presented the following water possible recommendations

- 36.72-acre parcel
- Area of parcel
1,599,523 sq. ft.
- Impervious area for lots
40,000 sq. ft. (5 x 8,000)
- Irrigated lot area
34.88 acres (1,599,523 – 40,000 = 1,519,523)
- Total irrigated acreage
34.88 x 3 = 104.64-acre feet

- 5 culinary connections
- 4-acre feet (4 x .8)
- 108.64-acre feet requirement

And the Second Possible Water Recommendations which was based on historically irrigated:

- 36.72-acre parcel
- 26.37 acres were historically irrigated

Area of irrigated parcel

1,148,677 sq. ft.

Impervious area for lots

40,000 sq. ft. (5 x 8,000)

Irrigated lot area

34.88 acres (1,148,677 – 40,000 = 1,108,677)

Total irrigated acreage

25.45 x 3 = 76.35-acre feet

- 5 culinary connections
- 4-acre feet (4 x .8)
- 80.35-acre feet requirement

The board discussed the need to install secondary water meters because then they could see what each lot was really using, and if they went over that amount then the irrigation company would bill them for that overage. It was also discussed if the question about historically irrigated ground needed to be asked? The hard part is you can't control 5 different owners and what they will do which is why water is required for the entire property. However this property doesn't have pressurized water, they flood irrigate, so they are correct that the entire property has not always been irrigated. Having the secondary meter will help monitor that.

The board thought perhaps this project like the last project could list out what water would be for inside, outside and irrigated land to see what the total amount of water rights for the property would be.

Mayor/Chairman Celeste Johnson asked if there were questions regarding this item? There was not.

Motion: Midway Irrigation Member Grant Kohler made the motion to recommend that the Willows at Midway located at 100 South 500 West be required to come back to the November 4, 2019 Advisory Meeting with a detail plan for each lot. City Council Bob Probst 2nd the motion.

Mayor/Chairman Celeste Johnson asked if there were questions regarding this item. There was not.

Motion was carried unanimously for Recommendation to City Council.

Tom and Lynn Walker – at about 500 West Main St.

Michael Henke, City Planner presented the following regarding this property

- **The property was reviewed by the Water Advisory Board on June 3, 2019**
- **7.89 acres**
- **RA-1-43 zoning**
- **One lot**
- **Historically Irrigated – 5 acres.**

The motion that was made at the June 3, 2019 meeting was:

Motion: Midway Irrigation Member Grant Kohler made the motion to recommend to City Council the Tom and Lynn Walker- Rural Preservation Subdivision Approx. 500 W. Main be required to turn in 23.89-acre feet of water for the entire subdivision. City Council Member Bob Probst 2nd the motion.

At that time there were some questions that the engineer, Mike Johnston could not answer, and so he indicated that he would like the board to make a motion, and if more information was discovered he would come back to the Water Advisory Board. According to Ken Probst and Mike Johnston the engineer for the project, the property actually only has 4 shares of water, and the property has been flood irrigated, it does not have pressurized irrigation on it.

Planner Henke presented the following water possible recommendations:

- 7.89-acre parcel
Area of parcel
343,688 sq. ft.
Impervious area for parcel
8,000 sq. ft.
Irrigated lot area
7.7 acres (343,688 – 8,000)
Historic Irrigated lot area (4 acres)
3.82 acres (174,240 – 8,000)
Total irrigated acreage
7.7 x 3 = 23.1 acre feet
Total historic irrigated acreage
3.82 x 3 = 11.46 acre feet
- 1 culinary connection
 - 0.8 acre feet
 - 23.9 acre feet requirement
- 12.26 acre feet requirement (4-acre historic irrigation)

The board discussed going off what was historically irrigated and subtracting a quarter acre from the irrigated land. The board all felt comfortable doing that as long as it was placed on the plat so they were aware of what could and could not be irrigated.

Mayor Johnson also stated that she felt that this board needed to have a discussion regarding historical use vs. current use, water rights on wetlands now that we are starting to see dry up. A discussion needs to be started, and within the next few months present something to City Council as a result of those discussions.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not.

Motion: Midway Irrigation Member Grant Kohler made a motion to recommend to City Council that the Tom and Lyn Walker subdivision located at about 500 West Main Street be required to turn in 12-acre feet, which would include .80 for inside use, and the remaining amount 11.20 acre feet for irrigation, and that it would be included on the plat map. Also that the property hook onto the secondary water pressurized system, and that a meter would be installed. The irrigation company also will retain their easement for the ditch on the property. City Council Member Bob Probst seconded the motion.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not

Motion was carried unanimously.

New/Old Business

The board discussed the developments on the agenda this evening, and the need to perhaps add items to the application for the water advisory board.

Mayor/Chairman Celeste Johnson asked if there were further questions regarding this item? There was not

Irrigation Member Brent Kelly made a motion to adjourn. Irrigation Member Grant Kohler 2nd the motion. It was carried unanimously. Meeting adjourned at 7:47 p.m.