

NOTICE AND AGENDA
MIDWAY WATER ADVISORY BOARD
MONDAY, April 2, 2018

Notice is hereby given that the Midway Water Advisory Board will hold their regular meeting Monday, January 8, 2018 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. General Consent Calendar
 - a. Approve Agenda for April 2, 2018
 - b. Approve Meeting Minutes for February 5, 2018
2. Mountain Spa – Change Application
 - a. Possible Recommendation to City Council
3. New/Old Business - No motions or commendations given
4. Adjourn

Jennifer Sweat

From: Paul Berg <paul@bergeng.net>
Sent: Wednesday, March 14, 2018 4:41 PM
To: Jennifer Sweat
Subject: Re: Mountain Spaa
Attachments: 55-9664 et al (Change Application Provo River)(signed by MSI).pdf; 55-1510 (Change Application Cunningham Lake)(signed by MSI).pdf

Yes. Please place the Mountain Spa on the April 2nd meeting.

Attached is a copy of the water right change applications that Mountain Spa Investors will be asking Midway City to sign.

Thanks,

Paul Berg
Berg Engineering

From: Jennifer Sweat
Sent: Thursday, March 08, 2018 3:31 PM
To: Paul Berg
Subject: Mountain Spaa

Hi Paul!

I just wanted to confirm that you would like to be placed on the Midway Water Advisory Board for April 2nd meeting to discuss the Mountain Spaa

The cut off for the meeting isn't until March 23rd, but I'm getting a head start.

Thanks Paul!

Jennifer Sweat, CPFIM, CBLO
Midway City Treasurer
435-654-3223 ext. 5



APPLICATION FOR PERMANENT CHANGE OF WATER

STATE OF UTAH

Rec. By _____

Fee _____

Receipt # _____

For the purpose of obtaining permission to make a permanent change of water in the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Section 73-3-3 Utah Code Annotated, as amended.

*WATER RIGHT NO. _____ - _____ *APPLICATION NO. a _____

Changes are proposed in (check those applicable)

point of diversion. place of use. nature of use. period of use.

1. **OWNER INFORMATION**

Name(s): Mountain Spa Investors, LLC Interest: 100 %

Address: 3850 E. Baseline Road, Suite 114

City: Mesa State: AZ Zip Code: 85206

Name(s): Midway City (interested party) Interest: 0 %

Address: 75 North 100 West, PO Box 277

City: Midway State: UT Zip Code: 84049

2. *PRIORITY OF CHANGE: _____ *FILING DATE: _____

*Is this change amendatory? (Yes/No): _____

3. **RIGHT EVIDENCED BY:** 55-9664, 55-11237, 55-11997

Prior Approved Change Applications for this right: a33997 (lapsed)

***** HERETOFORE *****

4. **QUANTITY OF WATER:** 0.547 cfs and/or 123.84 ac-ft.

5. **SOURCE:** Provo River

6. **COUNTY:** Wasatch

7. **POINT(S) OF DIVERSION:** _____

Description of Diverting Works: _____

8. **POINT(S) OF REDIVERSION**

The water has been rediverted from _____ at a point: _____

Description of Diverting Works: _____

9. **POINT(S) OF RETURN**

The amount of water consumed is _____ cfs or _____ ac-ft.

The amount of water returned is _____ cfs or _____ ac-ft.

The water has been returned to the natural stream/source at a point(s) _____

*These items are to be completed by the Division of Water Rights

10. NATURE AND PERIOD OF USE

Irrigation: From 04/01 to 10/31
Stockwatering: From to
Domestic: From to
Municipal: From to
Mining: From to
Power: From to
Other: From to

11. PURPOSE AND EXTENT OF USE

Irrigation: 41.28 acres. Sole supply of 41.28 acres.
Stockwatering (number and kind):
Domestic: Families and/or Persons.
Municipal:
Mining: Mining District in the Mine.
Ores mined:
Power: Plant name: Type: Capacity:
Other (describe):

12. PLACE OF USE

Legal description of place of use by 40 acre tract(s):

13. STORAGE

Reservoir Name: Storage Period: from to
Capacity: ac-ft. Inundated Area: acres.
Height of dam: feet.
Legal description of inundated area by 40 acre tract(s):

***** THE FOLLOWING CHANGES ARE PROPOSED *****

14. QUANTITY OF WATER: 0.547 cfs and/or 123.84 ac-ft.

15. SOURCE: Underground Water Well & Surface Sources
Balance of the water will be abandoned: , or will be used as heretofore: X

16. COUNTY: Wasatch

17. POINT(S) OF DIVERSION See Attachment
Description of Diverting Works: See Attachment
COMMON DESCRIPTION: Midway City

18. POINT(S) OF REDIVERSION
The water will be rediverted from at a point:
Description of Diverting Works:

19. POINT(S) OF RETURN
The water will be returned to the natural stream/source at a point(s):

20. NATURE AND PERIOD OF USE

Irrigation:	From _____	to _____
Stockwatering:	From _____	to _____
Domestic:	From _____	to _____
Municipal:	From 01/01	to 12/31
Mining:	From _____	to _____
Power:	From _____	to _____
Other:	From _____	to _____

21. PURPOSE AND EXTENT OF USE

Irrigation: _____ acres. Sole supply of _____ acres.
 Stockwatering (number and kind): _____
 Domestic: _____ Families and/or _____ Persons.
 Municipal: Midway City
 Mining: _____ Mining District in the _____ Mine.
 Ores mined: _____
 Power: Plant name: _____ Type: _____ Capacity: _____
 Other (describe): _____

22. PLACE OF USE

Legal description of place of use by 40 acre tract(s): Service area of Midway City

23. STORAGE

Reservoir Name: _____ Storage Period: from _____ to _____
 Capacity: _____ ac-ft. Inundated Area: _____ acres.
 Height of dam: _____ feet.
 Legal description of inundated area by 40 acre tract(s): _____

24. EXPLANATORY

The following is set forth to define more clearly the full purpose of this application. Include any supplemental water rights used for the same purpose. (Use additional pages of the same size if necessary): _____
This change application is filed to replace a33997, which inadvertently lapsed in 2014. Applicants acknowledge that a33997 was previously approved for the diversion of 111.84 acre-feet and depletion of 74.678 acre-feet.

 The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, at the time of filing, rests with the applicant(s).



 Mountain Spa Investors, LLC

 Midway City

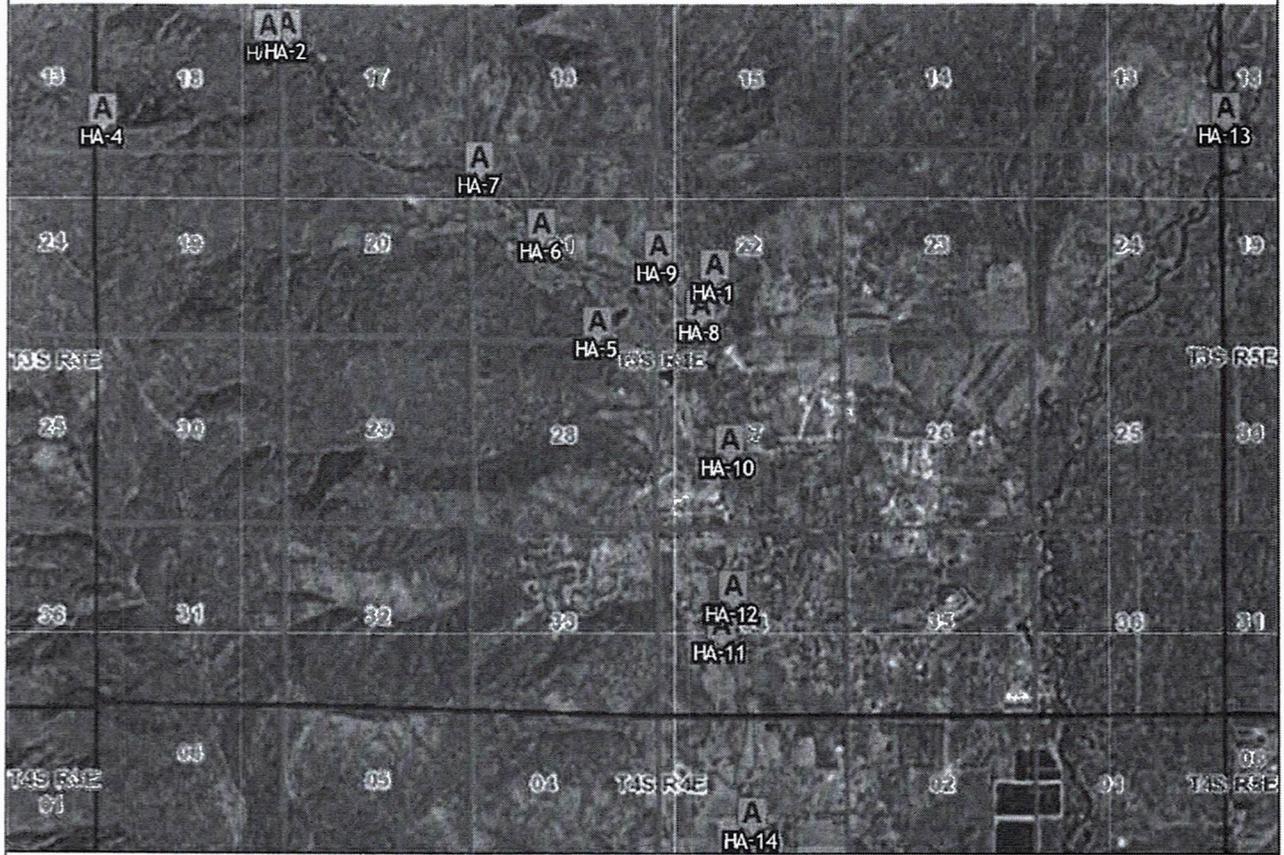
ATTACHMENT

17. Hereafter Points of Diversion

Point Surface:	
(1)	N 728 ft E 195 ft from W4 cor, Sec 17, T 3S, R 4E, SLBM Dvrting Wks: Power Plant Intake Source: Lavina Creek
(2)	N 683 ft W 336 ft from E4 cor, Sec 18, T 3S, R 4E, SLBM Dvrting Wks: Power Plant Intake Source: Snake Creek
(3)	N 1000 ft E 150 ft from SW cor, Sec 18, T 3S, R 4E, SLBM Dvrting Wks: Midway (Upper) Dam Source: Provo River
(4)	S 299 ft E 403 ft from NW cor, Sec 21, T 3S, R 4E, SLBM Dvrting Wks: Probst Ditch Source: Epperson Spring
(5)	N 441 ft W 1620 ft from SE cor, Sec 21, T 3S, R 4E, SLBM Dvrting Wks: Concrete collection box Source: Gerber Spring
(6)	N 3167 ft W 3170 ft from SE cor, Sec 21, T 3S, R 4E, SLBM Dvrting Wks: West Bench Ditch Source: Snake Creek
(7)	N 999 ft E 1298 ft from SW cor, Sec 22, T 3S, R 4E, SLBM Dvrting Wks: Pine Ditch Source: Pine Creek
(8)	N 2539 ft E 138 ft from SW cor, Sec 22, T 3S, R 4E, SLBM Dvrting Wks: Concrete collection box Source: Mohogany Spring
(9)	N 2384 ft W 1137 ft from SE cor, Sec 27, T 3S, R 4E, SLBM Dvrting Wks: Bunnell Ditch Source: Snake Creek
(10)	S 1669 ft W 3085 ft from NE cor, Sec 34, T 3S, R 4E, SLBM Dvrting Wks: Epperson Ditch Source: Snake Creek
(11)	N 2482 ft W 3329 ft from SE cor, Sec 34, T 3S, R 4E, SLBM Dvrting Wks: Mill Ditch Source: Snake Creek
(12)	N 1000 ft E 150 ft from SW cor, Sec 18, T 3S, R 5E, SLBM Dvrting Wks: Midway (Upper) Dam Source: Provo River
(13)	N 2550 ft E 50 ft from S4 cor, Sec 03, T 4S, R 4E, SLBM Dvrting Wks: Huffaker Ditch Source: Snake Creek
Stream Alt?: No	

UNDERGROUND: (Click Link for PLAT data, Well ID# link for data.)	
(1)	N 2000 ft E 1700 ft from SW cor, Sec 22, T 3S, R 4E, SLBM Diameter: 16 ins. Depth: 100 to 1000 ft. WELL ID#:

Utah Water Right Change Map



Legend

Point of diversion

- (HA-1) N 2000 ft, E 1700 ft, from SW cor, Sec 22, T 3S, R 4E, SL B&M
- (HA-2) N 728 ft, E 195 ft, from W4 cor, Sec 17, T 3S, R 4E, SL B&M
- (HA-3) N 683 ft, W 336 ft, from E4 cor, Sec 18, T 3S, R 4E, SL B&M
- (HA-4) N 1000 ft, E 150 ft, from SW cor, Sec 18, T 3S, R 4E, SL B&M
- (HA-5) N 441 ft, W 1620 ft, from SE cor, Sec 21, T 3S, R 4E, SL B&M
- (HA-6) N 3167 ft, W 3170 ft, from SE cor, Sec 21, T 3S, R 4E, SL B&M
- (HA-7) S 299 ft, E 403 ft, from NW cor, Sec 21, T 3S, R 4E, SL B&M
- (HA-8) N 899 ft, E 1298 ft, from SW cor, Sec 22, T 3S, R 4E, SL B&M
- (HA-9) N 2539 ft, E 138 ft, from SW cor, Sec 22, T 3S, R 4E, SL B&M
- (HA-10) N 2384 ft, W 3137 ft, from SE cor, Sec 27, T 3S, R 4E, SL B&M
- (HA-11) N 2482 ft, W 3329 ft, from SE cor, Sec 34, T 3S, R 4E, SL B&M
- (HA-12) S 1669 ft, W 3085 ft, from NE cor, Sec 34, T 3S, R 4E, SL B&M
- (HA-13) N 1000 ft, E 150 ft, from SW cor, Sec 18, T 3S, R 5E, SL B&M
- (HA-14) N 2550 ft, E 50 ft, from S4 cor, Sec 03, T 4S, R 4E, SL B&M

I, _____, hereby acknowledge that this map was prepared in support of this Change Application. I hereby submit this map as a true representation of the facts shown thereon to the best of my knowledge and belief.

Midway City

Date

APPLICATION FOR PERMANENT CHANGE OF WATER

STATE OF UTAH

Rec. By _____

Fee _____

Receipt # _____

For the purpose of obtaining permission to make a permanent change of water in the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Section 73-3-3 Utah Code Annotated, as amended.

*WATER RIGHT NO. _____ - _____ *APPLICATION NO. a _____

Changes are proposed in (check those applicable)

point of diversion. place of use. nature of use. period of use.

1. OWNER INFORMATION

Name(s): Mountain Spa Investors, LLC Interest: 100 %

Address: 3850 E. Baseline Road, Suite 114

City: Mesa State: AZ Zip Code: 85206

Name(s): Midway City (interested party) Interest: 0 %

Address: 75 North 100 West, PO Box 277

City: Midway State: UT Zip Code: 84049

2. *PRIORITY OF CHANGE: _____ *FILING DATE: _____

*Is this change amendatory? (Yes/No): _____

3. RIGHT EVIDENCED BY: segregated portion of 55-1510

Prior Approved Change Applications for this right: _____

***** HERETOFORE *****

4. QUANTITY OF WATER: 0.616 cfs and/or 49.626 ac-ft.

5. SOURCE: Cunningham Lake

6. COUNTY: Wasatch

7. POINT(S) OF DIVERSION: _____

Description of Diverting Works: _____

8. POINT(S) OF REDIVERSION

The water has been rediverted from _____ at a point: _____

Description of Diverting Works: _____

9. POINT(S) OF RETURN

The amount of water consumed is _____ cfs or _____ ac-ft.

The amount of water returned is _____ cfs or _____ ac-ft.

The water has been returned to the natural stream/source at a point(s) _____

*These items are to be completed by the Division of Water Rights

10. NATURE AND PERIOD OF USE

Irrigation:	From	<u>04/15</u>	to	<u>10/15</u>
Stockwatering:	From	<u>01/01</u>	to	<u>12/31</u>
Domestic:	From	_____	to	_____
Municipal:	From	_____	to	_____
Mining:	From	_____	to	_____
Power:	From	_____	to	_____
Other:	From	_____	to	_____

11. PURPOSE AND EXTENT OF USE

Irrigation: 16.5 acres. Sole supply of 16.5 acres.
 Stockwatering (number and kind): 4.5 ELUs
 Domestic: _____ Families and/or _____ Persons.
 Municipal: _____
 Mining: _____ Mining District in the _____ Mine.
 Ores mined: _____
 Power: Plant name: _____ Type: _____ Capacity: _____
 Other (describe): _____

12. PLACE OF USE

Legal description of place of use by 40 acre tract(s): _____

13. STORAGE

Reservoir Name: _____ Storage Period: from _____ to _____
 Capacity: _____ ac-ft. Inundated Area: _____ acres.
 Height of dam: _____ feet.
 Legal description of inundated area by 40 acre tract(s): _____

***** THE FOLLOWING CHANGES ARE PROPOSED *****

14. QUANTITY OF WATER: 0.616 cfs and/or 49.626 ac-ft.

15. SOURCE: Underground Water Well & Surface Sources
 Balance of the water will be abandoned: _____, or will be used as heretofore: X

16. COUNTY: Wasatch

17. POINT(S) OF DIVERSION See Attachment
 Description of Diverting Works: See Attachment
 COMMON DESCRIPTION: Midway City

18. POINT(S) OF REDIVERSION
 The water will be rediverted from _____ at a point: _____

 Description of Diverting Works: _____

19. POINT(S) OF RETURN
 The water will be returned to the natural stream/source at a point(s): _____

20. NATURE AND PERIOD OF USE

Irrigation:	From _____ to _____
Stockwatering:	From _____ to _____
Domestic:	From _____ to _____
Municipal:	From <u>01/01</u> to <u>12/31</u>
Mining:	From _____ to _____
Power:	From _____ to _____
Other:	From _____ to _____

21. PURPOSE AND EXTENT OF USE

Irrigation: _____ acres. Sole supply of _____ acres.
 Stockwatering (number and kind): _____
 Domestic: _____ Families and/or _____ Persons.
 Municipal: Midway City
 Mining: _____ Mining District in the _____ Mine.
 Ores mined: _____
 Power: Plant name: _____ Type: _____ Capacity: _____
 Other (describe): _____

22. PLACE OF USE

Legal description of place of use by 40 acre tract(s): Service area of Midway City

23. STORAGE

Reservoir Name: _____ Storage Period: from _____ to _____
 Capacity: _____ ac-ft. Inundated Area: _____ acres.
 Height of dam: _____ feet.
 Legal description of inundated area by 40 acre tract(s): _____

24. EXPLANATORY

The following is set forth to define more clearly the full purpose of this application. Include any supplemental water rights used for the same purpose. (Use additional pages of the same size if necessary): _____
This change application seeks to convert the water right to municipal use. The parcel where this water has been used will be developed and receive water service from Midway City.

 The undersigned hereby acknowledges that even though he/she/they may have been assisted in the preparation of the above-numbered application through the courtesy of the employees of the Division of Water Rights, all responsibility for the accuracy of the information contained herein, at the time of filing, rests with the applicant(s).



 Mountain Spa Investors, LLC

 Midway City

ATTACHMENT

17. Hereafter Points of Diversion

Point Surface:

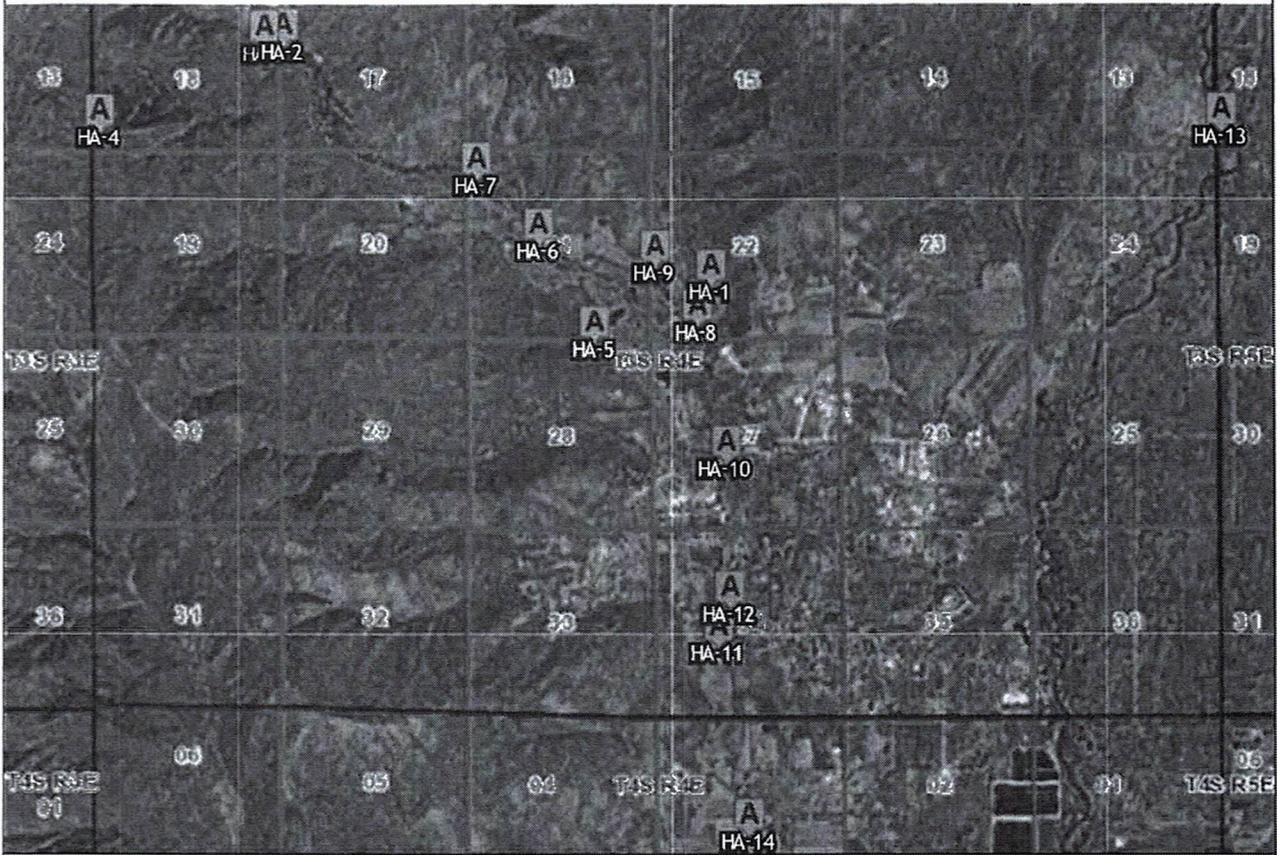
- (1) N 728 ft E 195 ft from W4 cor, Sec 17, T 3S, R 4E, SLBM
Dvrting Wks: Power Plant Intake
Source: Lavina Creek
- (2) N 683 ft W 336 ft from E4 cor, Sec 18, T 3S, R 4E, SLBM
Dvrting Wks: Power Plant Intake
Source: Snake Creek
- (3) N 1000 ft E 150 ft from SW cor, Sec 18, T 3S, R 4E, SLBM
Dvrting Wks: Midway (Upper) Dam
Source: Provo River
- (4) S 299 ft E 403 ft from NW cor, Sec 21, T 3S, R 4E, SLBM
Dvrting Wks: Probst Ditch
Source: Epperson Spring
- (5) N 441 ft W 1620 ft from SE cor, Sec 21, T 3S, R 4E, SLBM
Dvrting Wks: Concrete collection box
Source: Gerber Spring
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Source: Provo River
- (13) N 2550 ft E 50 ft from S4 cor, Sec 03, T 4S, R 4E, SLBM
Dvrting Wks: Huffaker Ditch
Source: Snake Creek

Stream Alt?: No

UNDERGROUND: (Click Link for PLAT data, Well ID# link for data.)

- (1) N 2000 ft E 1700 ft from SW cor, Sec 22, T 3S, R 4E, SLBM
Diameter: 16 ins. Depth: 100 to 1000 ft. WELL ID#:

Utah Water Right Change Map



Legend

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I, _____, hereby acknowledge that this map was prepared in support of this Change Application. I hereby submit this map as a true representation of the facts shown thereon to the best of my knowledge and belief.

Midway City

Date