



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, SACRAMENTO
CORPS OF ENGINEERS
1325 J STREET
SACRAMENTO CA 95814-2922

December 12, 2006

Regulatory Branch (200650397)

Millie Medby
560 North River Road
Midway, Utah 84049

Dear Mrs. Medby:

We are responding to your consultant's request for an approved jurisdictional determination for the Medby Parcel site. This approximately 1.8-acre site is located within Midway in Section 35, Township 3 South, Range 4 East, SLB&M, Latitude 40° 31' 13.7", Longitude 111° 27' 43.7", Wasatch County, Utah.

Based on available information and site visit conducted by (b) (6) of this office on October 27, 2006, we concur with the estimate of waters of the United States, as depicted on the **October 27, 2006 Medby Wetland Map** drawing prepared by **Harriet Whitson of Wise Earth**. Approximately **0.19** acres of waters of the United States, including wetlands, are present within the survey area. These waters are regulated under Section 404 of the Clean Water Act since they are **tributary, and adjacent to a tributary, to the Provo River, a water of the U.S.**

This verification is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the South Pacific Division Office at the following address: Doug Pomeroy, Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESPDPDS-O, 333 Market Street, Room 923, San Francisco, California 94105-2195, Telephone: 415-977-8035 FAX: 415-977-8129.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the NAP. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

This determination has been conducted to identify the limits of Corps of Engineers' Clean Water Act jurisdiction for the particular site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

Please refer to identification number 200650397 in any correspondence concerning this project. If you have any questions, please contact (b) (6) at the Utah Regulatory Office, 533 West 2600 South, Suite 150, Bountiful, Utah 84010-7744, email (b) (6) @usace.army.mil, or telephone 801-295-8380, extension 18.

Sincerely

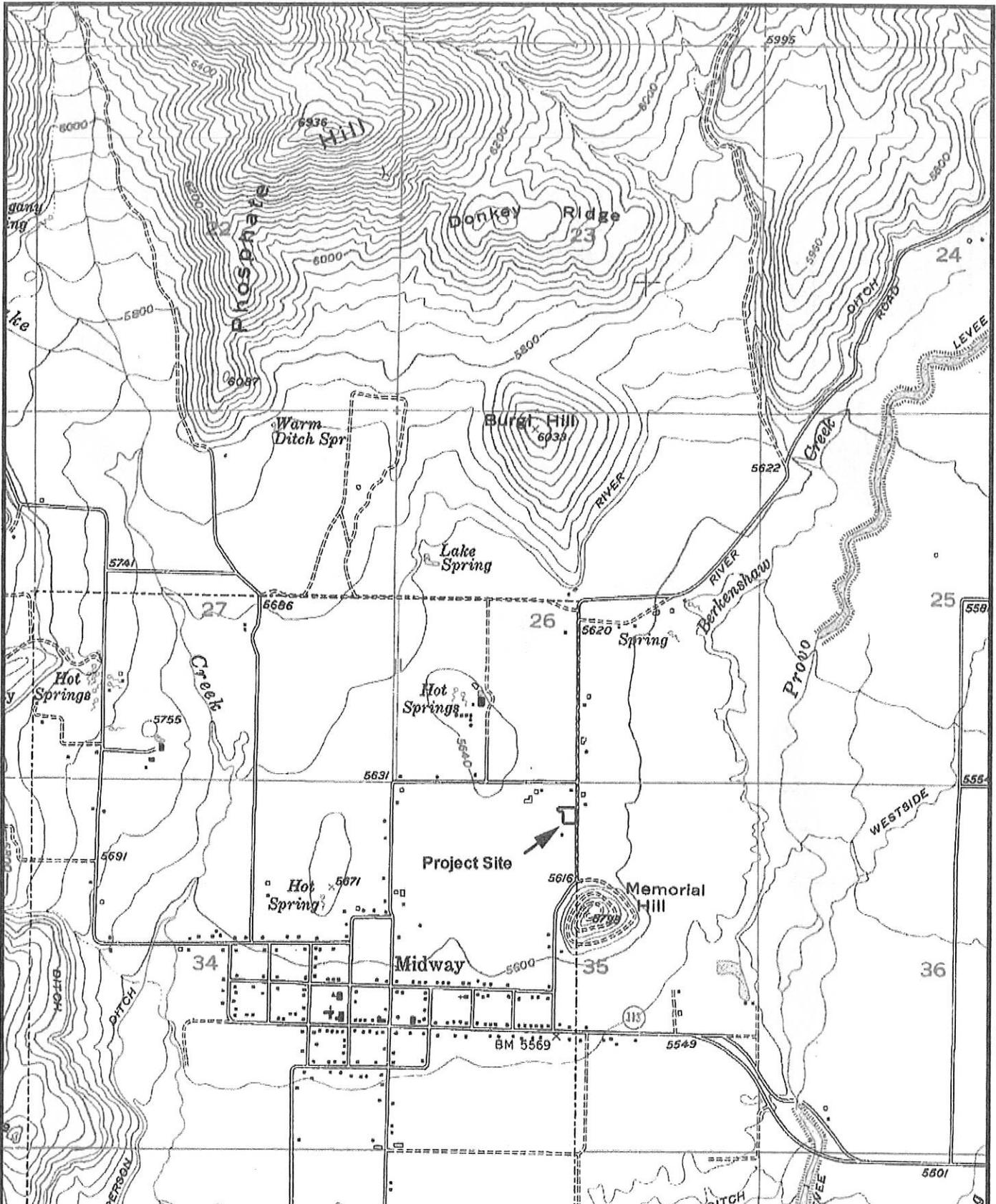
(b) (6)

Chief, Utah Regulatory Office

Enclosure

Copy furnished:

Mrs. Harriet Whitson, Wise Earth, PO Box 980994, Park City, Utah 84098



Wise Earth
 PO Box 980994
 Park City, Utah 84098
 (435) 901-1079

Medby Parcel
 NW 1/4 Sec 35 T3S R4E
 555 N. River Road
 Midway, Utah

Location Map
 USGS 7.5' Topo
 Heber

Figure
 1

MIDWAY, UTAH

WEST BAYVIEW
ADDRESS: P.O. BOX 180004, SALT LAKE CITY, UT 84086
PHONE: (435) 636-6724

MEDBY WETLAND MAP

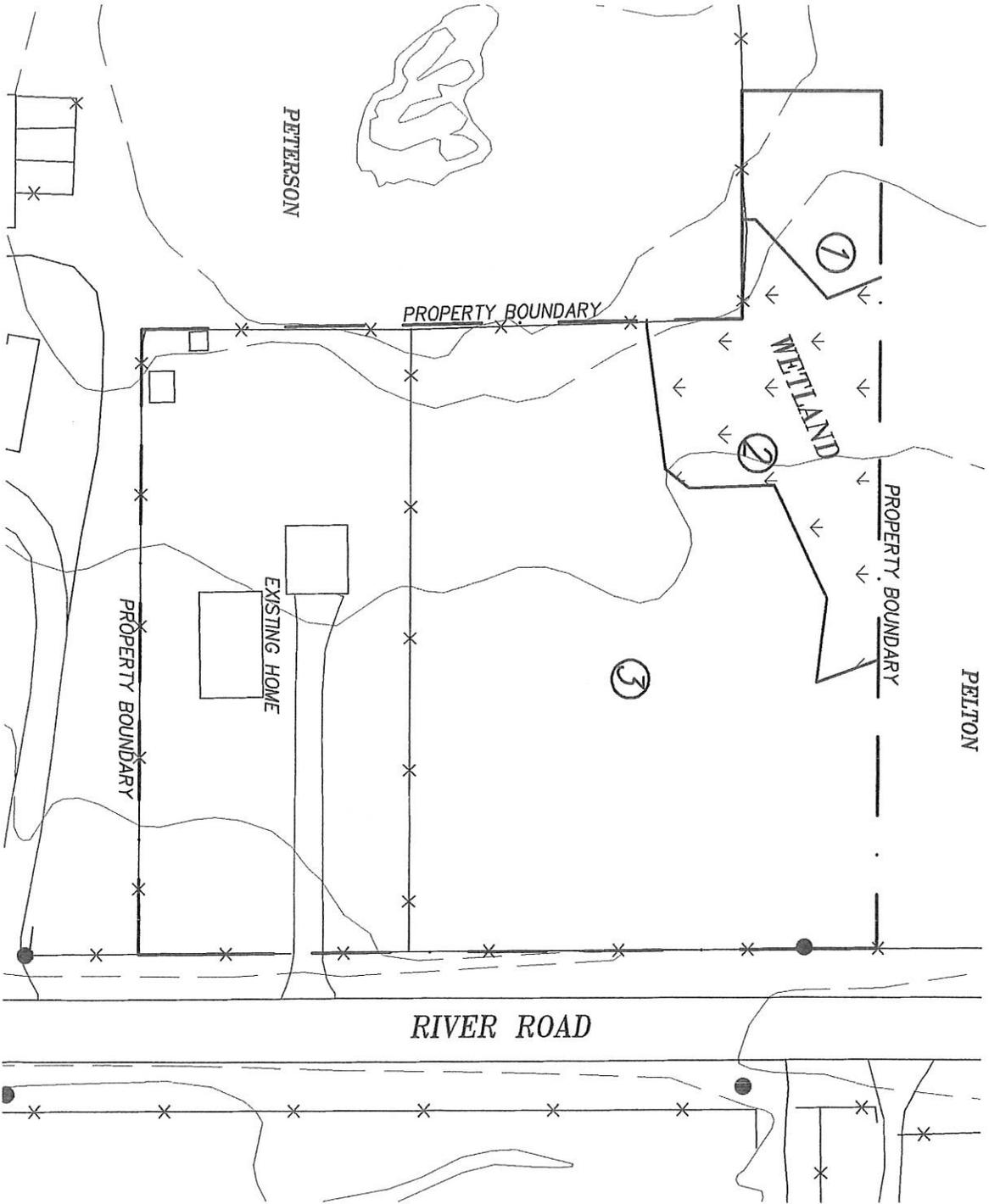
SOUTH & BEGG CONSULTANTS
500 S MAIN ST, SUITE 20, MIDWAY 84049
PHONE: (435) 657-9749

SCALE:
1" = 60'

DESIGN BY:
DRAFTER BY: CHB

DATE OF OCT 2006
REV:

ISSUED BY:
PROJECT NO.
2



LEGEND

- ① DATA POINT
- WETLANDS

TOTAL WETLANDS 0.19 AC

