

**MIDWAY WATER ADVISORY BOARD
MONDAY May 4, 2020
MEETING MINUTES**

Minutes of the Midway Water Advisory Board meeting held May 4, 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: Mayor/Co-Chairman Celeste Johnson, City Councilman Steven Dougherty, City Councilman Jeff Drury (via ZOOM), Wes Johnson, City Engineer, Michael Henke, City Planner and Jennifer Sweat, Treasurer/Water Advisory Board Secretary.

General Consent Calendar

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

- a. Approval of the Agenda for May 4, 2020
- b. Approval of the minutes for February 3, 2020

Motion: Midway Irrigation Member Grant Kohler made a motion n to approve the General Consent Calendar, Mayor/Co-Chairman Celeste Johnson 2nd the motion.

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

Motion was carried unanimously.

Change Application Jack Zenger – Midway City/Midway Vistas

Michael Henke, City Planner stated the following information regarding Change Application for Jack Zenger

- Water Rights: 55-4295 and 55-8768
- Quantity of the water is 8 CFS
- 15.87-acre feet per day

This water would be used for the Midway Vista subdivision. Planner Henke stated that the question was when is the best part of the process for the City to sign a change application? The board discussed the “haircut” that most likely will be given for the water rights, and other potential users of the water rights. The board felt the best thing would be to have the change application go to the State, and that after the determination was made, then the City would then perhaps sign the change application.

The board discussed the change application, and if the board should continue the item. There was discussion on having the applicant submit the change application signed by them, and then if the state accepts it, then the City would sign it. The applicant requested that it not be continued, but rather a letter from Midway City be given stating that

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

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Motion: City Councilman Steve Dougherty made the motion to recommend that a letter be written by Midway City for the change application acknowledging the filing of the change application and that the intended use would be to give it to the City to support a municipal project on the Zenger property

. Midway Irrigation Company member Grant Kohler 2nd the motion.

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

Motion was carried unanimously.

Midway Vistas – 257 Luzern Road

Planner Michael Henke presented the following regarding this property:

- 83.19 acres
- RA-1-43 zone
- Annexed on June 27, 2007
- Limited to 49 lots
- Private Streets
- Public Trails including some off-site trails
- Open Space of 25.39 acres (30.52%)

The board discussed the property and reviewed different ways of calculating the water. The subdivision was a standard subdivision, and each lot varied in size from .85 acres to 3 ½ acres. There is an existing home on the property, and it would also hook onto culinary water. A decision on what to do with the well currently being used has not been discussed. It is possible that the well could be deeded to the City, but the owner has not decided on that at this time. The subdivision would be done in phasing, and so this would be an approval for the Master Plan of the entire subdivision by phasing. All water would need to be turned in to the City with the Master Plan approval, and then as each phase is recorded the water would be per into the City name. The water would be held in escrow by the City.

The board discussed the pressurized irrigation for the subdivision, and it was thought that there would not be enough pressure for the property to use the irrigation water due to the location. The board discussed the possible need of a pump house be constructed for the subdivision.

Paul Berg, engineer for the project dropped off the ZOOM meeting call at 6:40 p.m.

The board continued to discuss the pressurized irrigation water, and Paul Berg, engineer for the project arrived in person at the meeting 6:45 p.m.

Mr. Berg added that he had spoken to Mike Kohler regarding the pressurized irrigation water, and the idea was that the homes this would affect, the home would need to have a booster pump on their property. The board and Mr. Berg discussed the booster pump at each home, vs. a pump house for the entire project managed by the HOA. Mr. Berg felt the booster pump at each home was a better fit.

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Mayor/Co-Chairman Johnson asked about pressure issue for the area for culinary water, and Wes Johnson, City Engineer indicated that he felt they would have enough pressure after they had issues with Burgi Hill subdivision. There was interconnecting that was done, and that gave us 60 psi.

The board discussed the irrigated land, and who states which is irrigated and which is not? It is fine now to say well historically this area has not been irrigated, but once its sold, that can change. Mr. Berg had subtracted non-irrigated land that was around Jack Zenger's land, and the tennis courts and trails.

The board debated the water calculations presented by Planner Henke (see supplemental file for calculations) and the water calculations presented by Mr. Berg, the engineer for the project (see supplemental file for calculations).

After discussion it was decided to go with the minimum amount that would need to be turned in would be 191.24-acre feet, which would be 39.2-acre feet for inside use, and 152.04-acre feet for irrigation. Then when each phase comes in for approval, staff would calculate the actual usage, and that is what would be required to be turned in.

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

Motion: Midway Irrigation Member Grant Kohler made the motion to recommend that for Midway Vistas located at 257 Luzern Road to accept staff's calculations of 191.24 acre feet of a minimum for the project, and that as each phase comes in that Staff will calculate each phase, and make any needed changes to the water calculations. Steve Dougherty 2nd the motion.

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

Motion was carried unanimously.

Dent Residence – 101 West 100 South

Planner Michael Henke presented the following regarding this property

- 1.21-acre parcel
- 1 culinary connection existing
- 1 culinary connection for proposed dwelling

The board discussed the property and reviewed it via google maps. There was discussion on the new home, and how irrigation was currently being used on the property. Currently there is only one owner of the land, and one irrigation hookup for the secondary water. In turning in water for the entire ground it ties the water to the land. The applicant indicated that they may possibly put in a barn on the property, however Planner Henke indicated that the water calculated tonight would cover the barn.

Planner Henke reviewed the water calculation which would give them a credit for the already existing water connection. (details in supplemental file). They would need to turn in 2.30-acre feet of water, or 1 share of water which would cover the culinary and irrigation water for the entire property. Planner Henke stated that if they decided to subdivide the property later, they could, and all water would have already been turned in.

The board again discussed how many irrigation water connections the property would have? Currently they have one, and Midway Irrigation President/Chairman Farrell stated that was up to the property owner. If they decide to be subdivided down the road, or a 2nd owner comes into the picture then they may want more than one, but that can be decided when that happens.

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

Motion: Midway Irrigation Member Brent Kelly made the motion to recommend that for Dent Residence located at 101 West 100 South to accept staff's calculations and 2.30-acre feet or 1 share of Midway Irrigation Water be turned in. Midway Irrigation Member Grant Kelly 2nd the motion.

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

Motion was carried unanimously.

Whispering Creek Estates – 515 Cari Lane (Changed name from Creekside Estates)

Planner Michael Henke presented the following regarding this property:

- 4.92 acres
- R-1-15 zone
- Limited to 7 lots

The board discussed the property and reviewed the property via google earth and reviewing the plat map provided by applicant. The property was part of the Cosper Subdivision, and it would need to be vacated. The homes will not be within 50 feet of the FEMA flood plan. There is an existing home on the property, which is on lot 2 when reviewing the plat map.

Planner Henke gave the following for the water calculation for the property:

- 4.92-acre parcel
 - Area of Parcel – 214,315.2 sq. ft.
 - Impervious area for lots
 - 56,000 sq. ft. (7 x 8,000)
 - Irrigated Area
 - Lots – 158,315.2 sq. ft. (3.63 acres)
 - Park Strip – 3,500 sq. ft. (.08 acres)
 - Total Irrigation Acreage – $3.71 \times 3 = 11.13$ -acre feet
- 7 culinary connections
 - 5.6-acre feet – (7x.80)
- 16.73-acre feet requirement

The board discussed the Wetland on the property, and including that into the water calculations presented this evening would also need to take in consideration the existing home on the property that has a connection, as well as any water that was turned in for the Cosper subdivision. Treasurer/Secretary Sweat will look at how much water was turned in for the Cosper subdivision to see if any of it that water should also be credited for the subdivision.

The board discussed further the wetland on the property, as well as the creek beside the property, as well as the actual size of the subdivision as there was some question on that with boundary lines with the Homestead, and

other unknowns. The board discussed continuing the item, but it was decided to not hold up the subdivision, the board would give a recommendation to City Council, and when the additional information was found, staff could make adjustments as needed. The board felt that the least amount that would need to be turned in would be the amount presented by Planner Henke, 16.73-acre feet of water.

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

Motion: Midway Irrigation Member Grant Kohler made the motion to recommend that for Whispering Creek Estates located at 515 Cari Lane accept staff's calculations for the development of 16.73 acre feet of water, with staff making the adjustment for the existing home, and any water turned in for the Cosper Subdivision that is related to this property. That if any further information is given to staff regarding the wetland adjustments could be made by staff. City Councilman 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 were further New or Old Business? There was not.

City Council member Steve Dougherty moved to adjourn. Midway Irrigation Member Grant Kohler 2nd the motion. It was carried unanimously. Meeting adjourned at 7:44 p.m.