

WATER RIGHTS FOR LOTS OF RECORD

ORDINANCE 2022-08



SECTION 10.07.020

AMOUNT OF WATER REQUIRED

Lots of Record:

- Existing lots of record within the City that seek the right to develop or construct any structures using water from the Midway City Water System shall also be required to deed sufficient water rights to offset the proposed use.
- Existing lots of record shall turn in sufficient water rights to meet the proposed culinary need, plus additional water rights for irrigation in an amount that would meet the requirement of the base zone in which the property is located. For example, if a 1.8 acre lot of record located in a one acre zone proposed the construction of a single family home, the City will require .8 acre feet of approved water rights to be deeded to the City for the culinary service, plus an additional 3 acre feet of approved water rights to meet the needs of the base zoning (1 acre lot).

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- NOTE: The following general formula will be used in determining the required number of acre feet of water. The City will utilize its own experience and Division of Drinking Water Standards in allocating specific water requirements.
- Indoor Culinary Usage: 0.8 acre-feet of water per equivalent residential unit
- Outdoor Irrigation Usage: For lots measuring less than 14,520 sq. ft.: 5,000 sq. ft. will be subtracted for impervious surface that will not be calculated for outdoor water requirements. For lots measuring 14,520 sq. ft. or more: 8,000 sq. ft. will be subtracted for impervious surface that will not be calculated for outdoor water requirements. All irrigated areas in the subdivision (including park strips and water features) are required 3 acre feet of water.

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- Areas proposed for development that have delineated wetlands and have been historically irrigated or have had water rights, will be required to dedicate water rights to ensure that the wetlands can continue to be irrigated.
- The City reserves the right to require water rights anywhere that the City feels that a future property owner may want to irrigate in the future, even if the property has not been historically irrigated.
- Commercial Usage: Water requirements will be determined by the City on a case-by-case basis using the above formulas and applying any factors unique to the application.