

STATE OF UTAH



OFFICE OF THE LIEUTENANT GOVERNOR
CERTIFICATE OF ANNEXATION

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from the JORDAN VALLEY WATER CONSERVANCY DISTRICT, dated September 18, 2020, complying with Title 17B-1-414, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of boundary correction and adjustment, referred to above, on file with the Office of the Lieutenant Governor pertaining to the JORDAN VALLEY WATER CONSERVANCY DISTRICT located in Salt Lake County, State of Utah.



IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 6th day of October 2020 at Salt Lake City, Utah.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

SPENCER J. COX
Lieutenant Governor



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Delivering Quality Every Day

8215 South 1300 West • West Jordan, UT 84088 • Ph: 801.565.4300 • www.jvwcd.org

Barton A. Forsyth, *General Manager/CEO*

Alan E. Packard, *Assistant General Manager, Chief Engineer*

Shazelle Terry, *Assistant General Manager, Operations*

Matthew D. Olsen, *Assistant General Manager, Communications/Technology*

Board of Trustees

Corey L. Rushton, *Chair*

Greg R. Christensen

A. Reed Gibby

Karen D. Lang

Sherrie L. Ohrn

Dawn R. Ramsey

Lyle C. Summers

John H. Taylor

Barbara L. Townsend

September 18, 2020

Mr. Spencer J. Cox, Lieutenant Governor
Utah State Capitol Complex, Suite 220
P.O. Box 142325
Salt Lake City, UT 84114

Subject: Notice of Impending Boundary Action

Dear Lieutenant Governor Cox:

Jordan Valley Water Conservancy District (Jordan Valley) was established in 1951 to develop and deliver water supplies to those residing within its service area. Periodically, Jordan Valley verifies that property which has been annexed into any of Jordan Valley's Member Agencies is annexed into our boundaries, too. The Gateway to Little Valley development that was annexed into Magna Water District, a Member Agency of the District, needs to be annexed into Jordan Valley. Accordingly, the following documents are enclosed:

1. Letter from Jordan Valley to the U.S. Bureau of Reclamation (BOR) requesting annexation of property
2. Letter from BOR to Jordan Valley approving the annexation
3. Certified copy of Resolution 19-30: "Approving Annexation of Lands into the Jordan Valley Water Conservancy District" (Granite School District)
4. Certified copy of Resolution 20-13: "Approving Annexation of Lands into the Jordan Valley Water Conservancy District" (Magna Water District)
5. Certified copy of Resolution 20-24: "Approving Annexation of Lands into the Jordan Valley Water Conservancy District" (Kennecott Utah Copper LLC)
6. Certified copy of Resolution 20-25: "Approving Annexation of Lands into the Jordan Valley Water Conservancy District" (Forestar (USA) Real Estate Group Inc.)
7. Final Local Entity Plat signed by Jordan Valley and the Salt Lake County Surveyor

I hereby verify, on behalf of Jordan Valley, that all requirements applicable to the annexation and to the boundary action have been met. Thank you for your assistance with this matter. Please call me at 801-565-4300 if you have any questions.

Best Regards,

Barton A. Forsyth
General Manager/CEO



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

8215 South 1300 West • West Jordan, UT 84088 • Ph: 801.565.4300 • www.jvwcd.org

Richard P. Bay, *General Manager/CEO*
Barton A. Forsyth, *Assistant General Manager*
Alan E. Packard, *Assistant General Manager*

Board of Trustees
Corey L. Rushton, *Chair*
Scott L. Osborne, *Vice-Chair*
Greg R. Christensen
Wm. Brent Johnson
Karen D. Lang
Stephen W. Owens
Ronald E. Sperry
Lyle C. Summers
John H. Taylor

February 20, 2019

Wayne Pullan, Area Manager
Bureau of Reclamation
Department of the Interior
302 East 1860 South
Provo, UT 84606-7317

Re: Annexation of Property into the Jordan Valley Water Conservancy District
(Gateway to Little Valley)

Dear Mr. Pullan:

The Jordan Valley Water Conservancy District has been requested by two landowners, Granite School District and Kennecott Utah Copper, LLC, that their property in Salt Lake County be included within the District. The legal description of the property and a map are included with this letter.

Pursuant to Article 22 of Repayment Contract 86-07-40-R0320, dated May 16, 1986, no change may be made in the District's organization by inclusion of lands without the written consent of the Contracting Officer. Thus, the District requests you furnish formal approval of the proposed inclusion of property. The District makes the following representations in connection with this request for approval:

1. The lands lie outside Salt Lake City and Sandy City limits and are within Salt Lake County;
2. The lands lie within the Magna Water Company, a Member Agency of the District;
3. The lands do not lie within any other water district's boundaries;
4. Delivery by the District of project water to the lands does not interfere with delivery by any other district; and,
5. The inclusion of the lands will not have any adverse effect upon contract repayment or the recovery of other costs.

If you have any questions, please contact me. Thank you for your assistance.

Sincerely,

Richard P. Bay
General Manager/CEO

Attachment

EXHIBIT 1

LEGAL DESCRIPTION OF THE LANDS TO BE INCLUDED AND ANNEXED INTO
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT





United States Department of the Interior

BUREAU OF RECLAMATION

Upper Colorado Region

Provo Area Office

302 East 1860 South

Provo, UT 84606-7317

IN REPLY REFER TO:

PRO-627

2.2.4.22

JUN 18 2019

Mr. Richard P. Bay
General Manager/CEO
Jordan Valley Water
Conservancy District
8215 South 1300 West
West Jordan, UT 84088

Subject: Annexation of Property into the Jordan Valley Water Conservancy District –
Bonneville Unit, Central Utah Project

Dear Mr. Bay:

Per your February 20, 2019, request and according to the terms of Article 22 of Repayment Contract No. 86-07-40-R0320, the Bureau of Reclamation hereby consents to the annexation of lands owned by the landowner specified in your letter (Gateway to Little Valley) into the Jordan Valley Water Conservancy District.

If you have any questions, please contact Mr. Dustin Woodbury at (801) 379-1259. For Text Telephone Relay Service access, call the Federal Relay System Text Telephone (TTY) number at (800) 877-8339.

Sincerely,

ACTING FOR

Wayne G. Pullan
Area Manager

Rec'd
6/20/19

STATE OF UTAH)
) :ss.
COUNTY OF SALT LAKE)



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

On this 15th day of September,
2020, I hereby certify that I am the custodian of this
document and that this photocopy is a true, complete and
unaltered photocopy of the original document, made by me.

Witness my hand and official seal.

RESOLUTION OF THE BOARD OF TRUSTEES

Beverly Murray
Notary Public

RESOLUTION NO. 19-30

APPROVING ANNEXATION OF LANDS
INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

WHEREAS, a written "Petition for Inclusion of Lands Within the Boundaries of the Jordan Valley Water Conservancy District" (the "Petition") was filed with the Board of Trustees on July 15, 2019, by Granite School District, a political subdivision of the State of Utah ("Landowner"), asking that certain real property it owns in Salt Lake County (the "Lands") be annexed into the Jordan Valley Water Conservancy District;

WHEREAS, a copy of the Petition, including a description and map of the Lands, is attached as Exhibit A;

WHEREAS, the Petition was certified by the Board of Trustees on October 16, 2019, in the "Petition Certification" in accordance with Utah law, and written notice of the "Petition Certification" was given to the Contact Sponsor identified in the Petition in accordance with Utah law;

WHEREAS, written notice of the Petition and of the proposed annexation was properly and timely given in accordance with Utah law;

WHEREAS, a public hearing is not required by law and one has not been requested for the Petition or the proposed annexation;

WHEREAS, no objection or protest has been made either to the Petition or to the proposed annexation;

WHEREAS, all relevant statutory requirements under Utah law have been satisfied for approval of the Petition and for annexation of the Lands into the District;

WHEREAS, Magna Water District ("MWD") is a wholesale customer and member agency of the District; and,

WHEREAS, MWD annexed the Lands into its geographical boundaries after January 15, 2019;

NOW, THEREFORE BE IT RESOLVED by the Jordan Valley Water Conservancy District Board of Trustees:

1. The Board of Trustees of the Jordan Valley Water Conservancy District ("District") finds that the District is a water conservancy district organized in 1951 and existing under the Utah Water Conservancy District Act, Utah Code Ann. §§ 17B-2a-1001 et seq.;

2. The Board finds that the District provides both wholesale and retail culinary water service within its geographical service area situated in parts of Salt Lake and Utah Counties;

3. The Board finds that the District provides wholesale culinary water service to MWD pursuant to a written agreement between the parties, and that MWD acquires the wholesale water service from the District and, in turn, provides it as a retail service;

4. The Board finds that MWD is now located at least partly within the District;

5. The Board finds that the Lands are now outside the District's boundaries;

6. The Board finds that no part of the Lands is within the boundaries of another local district that provides the same wholesale service as the District;

7. The Board finds that the Lands are subject to the District's Block 2 wholesale water rate structure, as defined in the District's Rules and Regulations for Wholesale Water Service, as amended, to the extent MWD increases its current Minimum Annual Amount of water, as defined in its Water Purchase Agreement and Class B Petition with the District, beyond 800 acre feet;

8. The Board finds that MWD has represented that it has sufficient water supplies to serve the Lands and does not now intend to request additional water deliveries from the District beyond MWD's current Minimum Annual Amount of water beyond 800 acre feet;

9. As a condition for approving the annexation of the Lands into the District, if MWD increases its current Minimum Annual Amount of water beyond 800 acre feet, prior to the Lands being fully developed, as determined by the District in its sole discretion, MWD will be charged the District's Block 2 wholesale water rates, as defined in the District's Rules and Regulations for Wholesale Water Service, as amended, for the increment exceeding 800 acre feet;

10. Landowner has acknowledged that it has read the District's Water Efficiency Standards, as shown in attached Exhibit B, understands the Standards, and hereby agrees to abide by them, as they may be amended;

11. As a condition for approving annexation of the Lands into the District, the Lands are hereby subject to the District's Water Efficiency Standards, as they may be amended, and that MWD shall implement and enforce the Water Efficiency Standards;

12. The Board finds that annexation of the Lands into the District will not impair or adversely affect: (a) the District's organization; (b) the District's rights in or to property; (c) any of the District's other rights or privileges; or, (d) any contract, obligation, lien, or charge for or upon which the District might be liable or chargeable had the proposed annexation not been made;

13. The Board finds that the proposed annexation does not jeopardize the prompt payment of principal and interest on the bonds of the District now outstanding or of the payment by the District of installments of indebtedness or obligations under any contract;

14. The District has entered into an agreement with the United States that requires the consent of the United States for annexation of the Lands into the District. Prior to the adoption of this Resolution, the Board received the formal, written approval of the Bureau of Reclamation to the annexation of the Lands into the District on the terms set forth in this Resolution;

15. The Board shall file a notice with the Lieutenant Governor of the State of Utah, accompanied by a copy of this Resolution and either an accurate map depicting the boundaries of the Lands or a legal description of the Lands, adequate for purposes of the Salt Lake County Assessor and Recorder, and a certification by the Board that all requirements for annexation of the Lands have been complied with;

16. The Board determines that the proposed annexation shall be complete and effective upon the Lieutenant Governor's issuance to the Board of the certificate of annexation pursuant to Utah law, with copies sent as required by law, at which time:


- (a) The Lands, as described in Exhibit A, shall be annexed into the District;
- (b) The Lands shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as adopted and/or amended from time to time; and,
- (c) The Lands shall be assigned to the Second Division of the District.

17. This Resolution shall take effect immediately upon execution by an authorized member of the Board.

PASSED, ADOPTED, and APPROVED this 13th day of November, 2019.



Corey L. Rushton
Chair of the Board of Trustees

ATTEST:


Richard P. Bay
Clerk

EXHIBIT A

COPY OF PETITION FOR INCLUSION OF LANDS
WITHIN THE BOUNDARIES OF
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

PETITION FOR INCLUSION OF LANDS WITHIN THE BOUNDARIES OF
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

TO THE BOARD OF TRUSTEES OF THE JORDAN VALLEY WATER
CONSERVANCY DISTRICT:

1. The undersigned, Granite School District ("Landowner"), pursuant to the provisions of Utah Code Ann. § 17B-1-401, hereby petitions the Jordan Valley Water Conservancy District, through its Board of Trustees, to change the boundaries of the Jordan Valley Water Conservancy District to include and annex into the District the Lands which are described on attached Exhibit 1 and whose boundaries are shown on the map attached as Exhibit 2.

2. Landowner certifies that the Lands are owned by the school district and as such are public and that it is the owner of the Lands. The Lands constitutes the majority of of the total public land within the entire area proposed to be annexed. Other public lands include streets and rights of way, storm water detention, etc., The Lands are equal to 100% of the non-taxable public real property within the area proposed to be annexed.

3. The Lands are within the boundary of Magna Water District (MWD), Utah. MWD is a member agency of the District and receives wholesale water from the District, and MWD intends to provide retail water to the Lands.

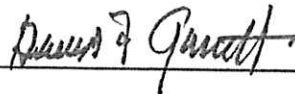
4. Landowner hereby assents to the inclusion of the Lands in the District and it acknowledges the Lands will be benefitted by inclusion. Landowner further acknowledges that the Lands to be included in the District shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as they may be adopted and/or amended from time to time.

5. The Contact Sponsor for Landowner is Don Adams;
Mailing Address: 2500 S State SLC 84115; Telephone Number: 385-646-5000.

"Landowner":

Granite School District

Dated: 11 July 2019

By: 

Its: Business Administrator

Typed Name: David F. Garrett

Current Residence Address:
2500 S State St, SLC 84115

Current Mailing Address:
2500 S State St, SLC 84115

Telephone: 385-646-5000

STATE OF UTAH)
 : ss.
COUNTY OF Salt Lake)

The foregoing instrument was acknowledged before me this 11th day of July, 2019, by David F. Garrett.

Commission expires: 07/07/2023



Kathy Goodfellow
NOTARY PUBLIC
Residing in Salt Lake County

EXHIBIT 1

LEGAL DESCRIPTION OF THE LANDS TO BE INCLUDED AND ANNEXED INTO
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

The following real property is located in Salt Lake County, Utah:

A parcel of land situate in the East Half of Section 31 and the West Half of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point in the existing Jordan Valley Water Conservancy District boundary established by that plat recorded as Entry No. 12445822 in Book 2016P at Page 346 in the office of the Salt Lake County Recorder located at the intersection of the Southerly line of the Denver & Rio Grande Western Railroad Right-of-Way and the West Right-of-Way of 8400 West Street (U-111), said point also being South 00°01'06" West 154.21 feet along the section line and West 71.00 feet from the Center Section of said Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running

thence along said existing Jordan Valley Water Conservancy District boundary the following ten (10) courses:

1) South 00°01'06" West 1,775.11 feet along the West Right-of-Way of 8400 West Street (U-111)

2) North 89°40'50" West 373.32 feet;

3) South 00°01'06" West 319.50 feet;

4) North 89°40'50" West 165.00 feet;

5) South 00°01'06" West 250.00 feet;

6) South 89°40'50" East 165.00 feet;

7) South 00°01'06" West 107.00 feet to the North Right-of-Way Line of the 4100 South Street, a point on the Jordan Valley Water Conservancy District boundary, and a point in the existing West Valley City boundary established by that Hercules Annexation to West Valley City recorded as Entry No. 4603394 in Book 88-3 at Page 21 in the Office of said Recorder;

8) North 89°40'50" West 1,038.09 feet along said North Right-of-Way Line, existing Jordan Valley Water Conservancy District boundary;

9) South 00°01'06" West 33.00 feet along said existing Jordan Valley Water Conservancy District boundary;

10) North 89°40'50" West 242.18 feet along said existing Jordan Valley Water Conservancy District boundary and a Westerly extension thereof to a point that is 25 feet perpendicularly distant Northeasterly from the center of tracks of the Bingham & Garfield Railroad;

thence along a line that is 25 feet perpendicularly or radially distant Northeasterly from the center of said tracks the following five (5) courses:

1) North 43°48'26" West 1,625.75 feet to a point of tangency with a curve to the right;

2) Northwesterly 288.38 feet along the arc of a 2175.00 foot radius curve to the right (center bears North 46°11'36" East and the chord bears North 40°00'30" West 288.17 feet with a central angle of 07°15'43") to a point of compound curvature;

3) Northwesterly 759.85 feet along the arc of a 1,885.08 foot radius curve to the right (center bears North 53°47'23" East and the chord bears North 24°39'45" West 754.72 feet with a central angle of 23°05'43");

4) North 13°06'54" West 549.11 feet to the point of curvature;

5) Northwesterly 1,054.43 feet along the arc of a 1935.06 foot radius curve to the left (center bears South 76°53'06" West and the chord bears North 28°43'32" West 1,041.43 feet with a central angle of 31°13'15") to the West line of the Southeast Quarter of the Northeast Quarter of said Section 31;

thence North 00°26'42" East 427.91 feet to the Northwest Corner of the Southeast Quarter of the Northeast Quarter of said Section 31;

thence North 89°44'49" East 1,117.41 feet along the North line of the Southeast Quarter of the Northeast Quarter of said Section 31 to the Southwesterly line of said Denver & Rio Grande Western Railroad Right-of-Way and point on the said existing Jordan Valley Water Conservancy District boundary;

thence along said existing Jordan Valley Water Conservancy District boundary the following one (1) course:

1) Southeasterly 3,229.51 feet along the arc of a 4,347.28 foot radius curve to the left (center bears North 49°21'37" East and the chord bears South 61°55'18" East 3155.76 feet with a central angle of 42°33'50") along said Right-of-Way to the point of beginning.

Contains 9,129,506 Square Feet or 209.585 Acres

EXHIBIT 2

MAP SHOWING THE BOUNDARIES
OF THE LANDS TO BE INCLUDED AND ANNEXED
INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

EXHIBIT B
WATER EFFICIENCY STANDARDS

WATER EFFICIENCY STANDARDS

Purpose

The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.

Applicability

The following standards shall be required for all developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. The Outdoor Landscaping Standards shall also be required for all new landscaping construction installed by homeowners.

Indoor Fixture Requirements

All new and future construction and future additions, remodels, or refurbishments shall have, at the minimum, fixtures that comply with the efficiency standards listed below:

- A. Toilets shall be WaterSense labeled and use 1.28 gallons per flush or less;
- B. Urinals shall be WaterSense labeled and use 0.5 gallons per flush or less;
- C. Showerheads shall be WaterSense labeled and use 2.0 gallons per minute or less;
- D. Kitchen faucets shall be WaterSense labeled and use 1.5 gallons per minute or less;
- E. Bathroom faucets shall be WaterSense labeled and use 0.5 gallons per minute or less;
- F. Commercial pre-rinse spray valves shall be WaterSense labeled and use 1.28 gallons per minute or less;
- G. Clothes washers shall be ENERGY STAR certified and have an integrated water factor of 4.3 or less;
- H. Dishwashers shall be ENERGY STAR certified and use 3.5 gallons per cycle or less;

Outdoor Landscaping Standards

All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects, and homeowner provided landscape improvements within the front, side, and rear yards of single and two-family dwellings shall comply with the landscaping standards below:

Definitions

- A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- B. Active Recreation Areas: Areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).

- C. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.
- D. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- E. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.
- F. Lawn: Ground that is covered with grass or turf that is regularly mowed.
- G. Localscapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).
- H. Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
- I. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
- J. Paths: Designed routes between landscape areas and features.
- K. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- L. Total Landscaped Area: Improved areas of the property that incorporate all of the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

Landscaping Requirements

- A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in turf areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- B. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and Planting Beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- C. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.

- D. At least 3-4 inches of Mulch, permeable to air and water, shall be used in Planting Beds to control weeds and improve the appearance of the landscaping.
- E. At maturity, landscapes shall have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
- F. Lawn shall not be installed in Park Strips, Paths, or on slopes greater than 25% or 4:1 grade, and be less than 8 feet wide at its narrowest point. To the extent reasonably practicable, Lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
- G. In residential landscapes, the landscaping shall adhere to the following Localscapes requirements:
 - a. If size permits, the landscaped areas of the front yard and back yard shall include a designed Central Open Shape created by using Lawn, Hardscape, groundcover, gravel, or Mulch.
 - b. Gathering Areas shall be constructed of Hardscape and placed outside of the Central Open Shape. In a landscape without Lawn, Gathering Areas may function as the Central Open Shape.
 - c. Activity Zones shall be located outside of the Central Open Shape and shall be surfaced with materials other than Lawn.
 - d. Paths shall be made with materials that do not include Lawn, such as Hardscape, Mulch, or other groundcover.
 - e. Lawn areas shall not exceed 35% of the Total Landscaped Area.
- H. In commercial, industrial and institutional landscapes, Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of Active Recreation Areas.

STATE OF UTAH)
)
) :ss.
)
COUNTY OF SALT LAKE)

On this 15 day of September,
2020, I hereby certify that I am the custodian of this
document and that this photocopy is a true, complete and
unaltered photocopy of the original document, made by me.



Witness my hand and official seal.

JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Beverly M. Pamy
Notary Public

RESOLUTION OF THE BOARD OF TRUSTEES

RESOLUTION NO. 20-13

APPROVING ANNEXATION OF LANDS INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

WHEREAS, a written "Petition for Inclusion of Lands Within the Boundaries of the Jordan Valley Water Conservancy District" (the "Petition") was filed with the Board of Trustees on January 23, 2020, by Magna Water District, an improvement district organized under the laws of the State of Utah ("Landowner"), asking that certain public real property it owns in Salt Lake County (the "Lands") be annexed into the Jordan Valley Water Conservancy District;

WHEREAS, a copy of the Petition, including a description and map of the Lands, is attached as Exhibit A;

WHEREAS, the Petition was certified by the Board of Trustees on February 12, 2020, in the "Petition Certification" in accordance with Utah law, and written notice of the "Petition Certification" was given to the Contact Sponsor identified in the Petition in accordance with Utah law;

WHEREAS, written notice of the Petition and of the proposed annexation was properly and timely given in accordance with Utah law;

WHEREAS, a public hearing is not required by law and one has not been requested for the Petition or the proposed annexation;

WHEREAS, no objection or protest has been made either to the Petition or to the proposed annexation;

WHEREAS, all relevant statutory requirements under Utah law have been satisfied for approval of the Petition and for annexation of the Lands into the District;

WHEREAS, Magna Water District ("MWD") is a wholesale customer and Member Agency of the District; and,

WHEREAS, MWD annexed the Lands into its geographical boundaries after January 15, 2019;

NOW, THEREFORE BE IT RESOLVED by the Jordan Valley Water Conservancy District Board of Trustees:

1. The Board of Trustees of the Jordan Valley Water Conservancy District ("District") finds that the District is a water conservancy district organized in 1951 and existing under the Utah Water Conservancy District Act, Utah Code Ann. §§ 17B-2a-1001 et seq.;
2. The Board finds that the District provides both wholesale and retail culinary water service within its geographical service area situated in parts of Salt Lake and Utah Counties;
3. The Board finds that the District provides wholesale culinary water service to MWD pursuant to a written agreement between the parties, and that MWD acquires the wholesale water service from the District and, in turn, provides it as a retail service;
4. The Board finds that MWD is now located at least partly within the District;
5. The Board finds that the Lands are now outside the District's boundaries;
6. The Board finds that no part of the Lands is within the boundaries of another local district that provides the same wholesale service as the District;
7. The Board finds that the Lands are subject to the District's Block 2 wholesale water rate structure, as defined in the District's Rules and Regulations for Wholesale Water Service, as amended, to the extent MWD increases its current Minimum Annual Amount of water, as defined in its Water Purchase Agreement and Class B Petition with the District, beyond 800 acre feet;
8. The Board finds that MWD has represented that it has sufficient water supplies to serve the Lands and does not now intend to request additional water deliveries from the District beyond MWD's current Minimum Annual Amount of water beyond 800 acre feet;
9. As a condition for approving the annexation of the Lands into the District, if MWD increases its current Minimum Annual Amount of water beyond 800 acre feet, prior to the Lands being fully developed, as determined by the District in its sole discretion, MWD will be charged the District's Block 2 wholesale water rates, as defined in the District's Rules and Regulations for Wholesale Water Service, as amended, for any increment exceeding 800 acre feet;

10. Landowner has acknowledged that it has read the District's Water Efficiency Standards, as shown in attached Exhibit B, understands the Standards, and hereby agrees to abide by those portions of the Water Efficiency Standards which apply to Outdoor Landscaping Standards and Landscaping Requirements;

11. Landowner is exempt from the Indoor Fixture Requirements of the Water Efficiency Standards;

12. The Board finds that annexation of the Lands into the District will not impair or adversely affect: (a) the District's organization; (b) the District's rights in or to property; (c) any of the District's other rights or privileges; or, (d) any contract, obligation, lien, or charge for or upon which the District might be liable or chargeable had the proposed annexation not been made;

13. The Board finds that the proposed annexation does not jeopardize the prompt payment of principal and interest on the bonds of the District now outstanding or of the payment by the District of installments of indebtedness or obligations under any contract;

14. The Board hereby approves annexation of the Lands into the District, subject to the satisfaction of the following specific, reasonable, and appropriate conditions precedent:

(a) The District has entered into an agreement with the United States that requires the consent of the United States for annexation of territory into the District. The annexation of the Lands into the District shall not be effective unless and until written consent of the United States is obtained and filed with the Board. The Clerk of the District is authorized and directed to note the date of the receipt in the space indicated below and to give written notice of the receipt to MWD;

(b) As soon as practicable after the timely satisfaction of the terms of subparagraph 14(a), if ever, the Board shall file a notice with the Lieutenant Governor of the State of Utah, accompanied by a copy of this Resolution and either an accurate map depicting the boundaries of the Lands or a legal description of the Lands, adequate for purposes of the Assessor, Recorder, and Surveyor of Salt Lake County, and a certification that all requirements for annexation of the Lands have been complied with.

15. The Board determines that the proposed annexation shall be complete and effective upon the Lieutenant Governor's issuance to the Board of the certificate of annexation pursuant to Utah law, with copies sent as required by law, at which time:

(a) The Lands, as described in Exhibit A, shall be annexed into the District;

(b) The Lands shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as adopted and/or amended from time to time; and,

(c) The Lands shall be assigned to the Second Division of the District.

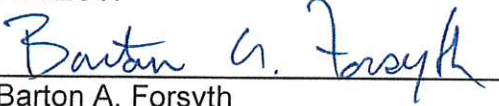
16. This Resolution shall take effect immediately upon execution by an authorized member of the Board.

PASSED, ADOPTED, and APPROVED this 11th day of March, 2020.



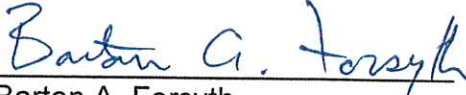
Corey L. Rushton
Chair of the Board of Trustees

ATTEST:



Barton A. Forsyth
Clerk

The written consent of the United States to the annexation contemplated by this Resolution, as set forth above in paragraph 14(a), was received and filed with the Board of Trustees on March 11, 2020.

Dated: March 11, 2020 By: 

Barton A. Forsyth
Clerk

EXHIBIT A

COPY OF PETITION FOR INCLUSION OF LANDS
WITHIN THE BOUNDARIES OF
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

PETITION FOR INCLUSION OF LANDS WITHIN THE BOUNDARIES OF
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

TO THE BOARD OF TRUSTEES OF THE JORDAN VALLEY WATER
CONSERVANCY DISTRICT:

1. The undersigned, Magna Water District, an improvement district organized under the laws of the State of Utah ("Landowner"), pursuant to the provisions of Utah Code Ann. § 17B-1-401, hereby petitions the Jordan Valley Water Conservancy District, through its Board of Trustees, to change the boundaries of the Jordan Valley Water Conservancy District to include and annex into the District the Lands which are described on attached Exhibit 1 and whose boundaries are shown on the map attached as Exhibit 2.

2. Landowner certifies the Lands are owned by Magna Water District and as such, they are public, and that it is the owner of the Lands. The Lands, and other Lands owned by Granite School District, collectively, constitute the majority of the total public lands within the entire area proposed to be annexed. Other public lands include streets and rights of way, storm water detention, etc., and the Lands are equal to 100% of the non-taxable public real property within the area proposed to be annexed.

3. The Lands are within the boundaries of Magna Water District (MWD). MWD is a Member Agency of the District and receives wholesale water from the District, and MWD, at its sole discretion, may provide retail water to the Lands.

4. Landowner and MWD have read the District's Water Efficiency Standards (as shown in attached Exhibit 3), understands the Standards, and hereby agrees to abide by them, as they may be amended.

5. Landowner has obtained the written concurrence to this Petition from MWD.

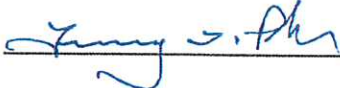
6. Landowner hereby assents to the inclusion of the Lands in the District and it acknowledges the Lands will be benefitted by inclusion. Landowner further acknowledges that the Lands to be included in the District shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as they may be adopted and/or amended from time to time.

7. The Contact Sponsor for Landowner is Terry Pollock; Mailing Address: 8885 West 3500 South, Magna, Utah 84044; Telephone Number: (801) 250-2118.

"Landowner":

Magna Water District

Dated: 1/23/2020

By: 

Its: General Manager

Typed Name: Terry Pollock

Current Residence Address:
8885 West 3500 South
Magna, UT 84044

Current Mailing Address:
8885 West 3500 South
Magna, UT 84044

Telephone: (801) 250-2118

Concurrence:

Magna Water District

Dated: 01/23/2020

By: 

Its: Chair, Board of Trustees

EXHIBIT 1

LEGAL DESCRIPTION OF THE LANDS TO BE INCLUDED AND ANNEXED INTO
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

The following real property is located in Salt Lake County, Utah:

PARCEL: 14-32-376-001, ADDRESS: 4078 SOUTH 8400 WEST,
MAGNA, UTAH 84044

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF
SECTION 32, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE
BASE AND MERIDIAN, MAGNA, SALT LAKE COUNTY, UTAH, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID
SECTION 32, THENCE NORTH 89°18'07" WEST 439.12 FEET ALONG
THE SOUTH LINE OF SAID SECTION 32, THENCE NORTH 390.03
FEET TO THE NORTHEAST CORNER OF THE MAGNA WATER
COMPANY PARCEL, ASSESSOR'S PARCEL NUMBER 14-32-300-002,
AND THE POINT OF BEGINNING; THENCE NORTH 89°17'32" WEST
466.22 FEET; THENCE NORTH 00°42'40" EAST 416.00 FEET; THENCE
SOUTH 89°17'32" EAST 466.22 FEET; THENCE SOUTH 00°42'40"
WEST 80.57 FEET TO THE NORTHWEST CORNER OF THE
ANDERSON PROPERTIES, LLC. PARCEL, ASSESSOR'S PARCEL
NUMBER 14-32-300-003; THENCE CONTINUING SOUTH 00°42'40"
WEST 335.43 FEET ALONG THE WEST LINE OF SAID ANDERSON
PROPERTIES, LLC. PARCEL TO THE NORTHEAST CORNER OF SAID
MAGNA WATER COMPANY PROPERTY AND THE POINT OF
BEGINNING.

CONTAINING 4.45 ACRES +/-

ALSO, BEING PART OF AN OVERALL ANNEXATION DESCRIPTION AS
FOLLOWS:

A PARCEL OF LAND SITUATE IN THE EAST HALF OF SECTION 31
AND THE WEST HALF OF SECTION 32, TOWNSHIP 1 SOUTH, RANGE
2 WEST, SALT LAKE BASE AND MERIDIAN, BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EXISTING JORDAN VALLEY WATER
CONSERVANCY DISTRICT BOUNDARY LOCATED AT THE
INTERSECTION OF THE SOUTHERLY LINE OF THE DENVER & RIO
GRANDE WESTERN RAILROAD RIGHT-OF-WAY AND THE WEST
RIGHT-OF-WAY OF 8400 WEST STREET (U-111), SAID POINT ALSO

BEING SOUTH 00°01'06" WEST 154.21 FEET ALONG THE SECTION LINE AND WEST 71.00 FEET FROM THE CENTER SECTION OF SAID SECTION 32, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING

THENCE ALONG SAID EXISTING JORDAN VALLEY WATER CONSERVANCY DISTRICT BOUNDARY THE FOLLOWING TEN (10) COURSES:

- 1) SOUTH 00°01'06" WEST 1,775.11 FEET ALONG THE WEST RIGHT-OF-WAY OF 8400 WEST STREET (U-111)
- 2) NORTH 89°40'50" WEST 373.32 FEET;
- 3) SOUTH 00°01'06" WEST 319.50 FEET;
- 4) NORTH 89°40'50" WEST 165.00 FEET;
- 5) SOUTH 00°01'06" WEST 250.00 FEET;
- 6) SOUTH 89°40'50" EAST 165.00 FEET;
- 7) SOUTH 00°01'06" WEST 107.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF THE 4100 SOUTH STREET, A POINT ON THE JORDAN VALLEY WATER CONSERVANCY DISTRICT BOUNDARY, AND A POINT IN THE EXISTING WEST VALLEY CITY BOUNDARY ESTABLISHED BY THAT HERCULES ANNEXATION TO WEST VALLEY CITY RECORDED AS ENTRY NO. 4603394 IN BOOK 88-3 AT PAGE 21 IN THE OFFICE OF SAID RECORDER;
- 8) NORTH 89°40'50" WEST 1,038.09 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE, EXISTING JORDAN VALLEY WATER CONSERVANCY DISTRICT BOUNDARY;
- 9) SOUTH 00°01'06" WEST 33.00 FEET ALONG SAID EXISTING JORDAN VALLEY WATER CONSERVANCY DISTRICT BOUNDARY;
- 10) NORTH 89°40'50" WEST 242.18 FEET ALONG SAID EXISTING JORDAN VALLEY WATER CONSERVANCY DISTRICT BOUNDARY AND A WESTERLY EXTENSION THEREOF TO A POINT THAT IS 25 FEET PERPENDICULARLY DISTANT NORTHEASTERLY FROM THE CENTER OF TRACKS OF THE BINGHAM & GARFIELD RAILROAD;

THENCE ALONG A LINE THAT IS 25 FEET PERPENDICULARLY OR RADIALLY DISTANT NORTHEASTERLY FROM THE CENTER OF SAID TRACKS THE FOLLOWING FIVE (5) COURSES:

- 1) NORTH 43°48'26" WEST 1,625.75 FEET TO A POINT OF TANGENCY WITH A CURVE TO THE RIGHT;
- 2) NORTHWESTERLY 288.38 FEET ALONG THE ARC OF A 2175.00 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS NORTH 46°11'36" EAST AND THE CHORD BEARS NORTH 40°00'30" WEST 288.17 FEET WITH A CENTRAL ANGLE OF 07°15'43") TO A POINT OF COMPOUND CURVATURE;
- 3) NORTHWESTERLY 759.85 FEET ALONG THE ARC OF A 1,885.08 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS

NORTH 53°47'23" EAST AND THE CHORD BEARS NORTH 24°39'45" WEST 754.72 FEET WITH A CENTRAL ANGLE OF 23°05'43");

4) NORTH 13°06'54" WEST 549.11 FEET TO THE POINT OF CURVATURE;

5) NORTHWESTERLY 1,054.43 FEET ALONG THE ARC OF A 1935.06 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS SOUTH 76°53'06" WEST AND THE CHORD BEARS NORTH 28°43'32" WEST 1,041.43 FEET WITH A CENTRAL ANGLE OF 31°13'15") TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE NORTH 00°26'42" EAST 427.91 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31;

THENCE NORTH 89°44'49" EAST 1,117.41 FEET ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 31 TO THE SOUTHWESTERLY LINE OF SAID DENVER & RIO GRANDE WESTERN RAILROAD RIGHT-OF-WAY AND POINT ON THE SAID EXISTING JORDAN VALLEY WATER CONSERVANCY DISTRICT BOUNDARY;

THENCE ALONG SAID EXISTING JORDAN VALLEY WATER CONSERVANCY DISTRICT BOUNDARY THE FOLLOWING ONE (1) COURSE:

1) SOUTHEASTERLY 3,229.51 FEET ALONG THE ARC OF A 4,347.28 FOOT RADIUS CURVE TO THE LEFT (CENTER BEARS NORTH 49°21'37" EAST AND THE CHORD BEARS SOUTH 61°55'18" EAST 3155.76 FEET WITH A CENTRAL ANGLE OF 42°33'50") ALONG SAID RIGHT-OF-WAY TO THE POINT OF BEGINNING.

CONTAINS 9,129,506 SQUARE FEET OR 209.585 ACRES

EXHIBIT 2

MAP SHOWING THE BOUNDARIES
OF THE LANDS TO BE INCLUDED AND ANNEXED
INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

FINAL LOCAL ENTITY PLAT

ANNEXATION OF THE PROPERTY WITHIN GATEWAY TO LITTLE VALLEY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT
NOVEMBER 2019

LOCATED WITHIN SECTIONS 31 AND 32
TOWNSHIP 40 S., RANGE 115 W., SALT LAKE COUNTY, UTAH
MAGNA METRO TOWNSHIP, SALT LAKE COUNTY, UTAH

SURVEYORS CERTIFICATE

WE, THE UNDERSIGNED, PROFESSIONAL LAND SURVEYORS, HAVE THE HONOR TO CERTIFY THAT WE HAVE PERSONALLY EXAMINED THE RECORDS OF THE SALT LAKE COUNTY COUNCIL AND THE RECORDS OF THE SALT LAKE COUNTY ENGINEERS' OFFICE AND HAVE FOUND THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY OTHER UNRECORDED PLAT, ENCUMBRANCE, OR INTEREST OF ANY KIND AND THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY OTHER UNRECORDED PLAT, ENCUMBRANCE, OR INTEREST OF ANY KIND AND THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY OTHER UNRECORDED PLAT, ENCUMBRANCE, OR INTEREST OF ANY KIND.

BOUNDARY DESCRIPTION

BEFORE WE MADE THE ABOVE PLAT, WE RECONSTRUCTED THE BOUNDARIES OF THE PROPERTY DESCRIBED HEREIN BY MEANS OF THE RECORDS OF THE SALT LAKE COUNTY COUNCIL AND THE RECORDS OF THE SALT LAKE COUNTY ENGINEERS' OFFICE, AND WE FOUND THAT THE PROPERTY DESCRIBED HEREIN IS NOT SUBJECT TO ANY OTHER UNRECORDED PLAT, ENCUMBRANCE, OR INTEREST OF ANY KIND AND THAT THE ABOVE DESCRIBED PROPERTY IS NOT SUBJECT TO ANY OTHER UNRECORDED PLAT, ENCUMBRANCE, OR INTEREST OF ANY KIND.

IN WITNESS WHEREOF, WE HAVE SUBSCRIBED OUR NAMES AND AFFIXED OUR SIGNS AND SEALS AT THE CITY OF SALT LAKE, UTAH, ON THE 11TH DAY OF NOVEMBER, 2019.

LAND SURVEYOR

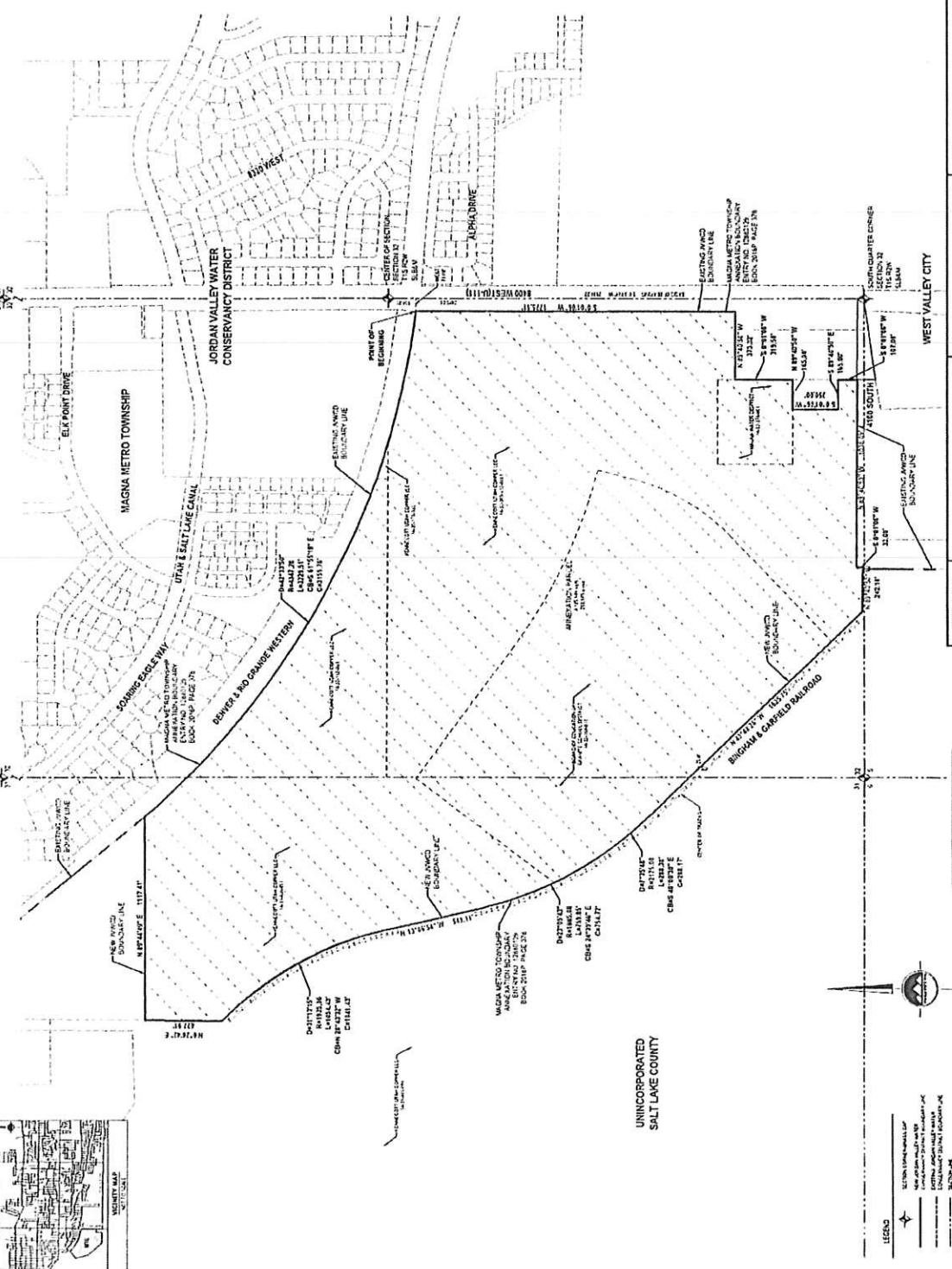


PROJECT NAME: _____
DATE: _____

FINAL LOCAL ENTITY PLAT

ANNEXATION OF THE PROPERTY WITHIN GATEWAY TO LITTLE VALLEY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT
NOVEMBER 2019

LOCATED WITHIN SECTIONS 31 AND 32
TOWNSHIP 40 S., RANGE 115 W., SALT LAKE COUNTY, UTAH
MAGNA METRO TOWNSHIP, SALT LAKE COUNTY, UTAH



LEGEND

- Solid line: SECTION BOUNDARY
- Dashed line: TOWNSHIP BOUNDARY
- Dotted line: COUNTY BOUNDARY
- Light gray shading: UNINCORPORATED AREA
- Dark gray shading: INCORPORATED AREA
- Blue hatching: WATER
- Yellow hatching: CANAL
- Green hatching: WETLANDS

HORIZONTAL GRAPHIC SCALE

1" = 100' (VERTICAL SCALE)

ENSIGN
SURVEYORS AND ENGINEERS

PROJECT INFORMATION

PROJECT NAME:	ANNEXATION OF THE PROPERTY WITHIN GATEWAY TO LITTLE VALLEY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT
DATE:	NOVEMBER 2019
PREPARED BY:	DAVID L. HANKS
CHECKED BY:	
DATE:	

SECTION 31 AND 32, TOWNSHIP 40 S., RANGE 115 W., SALT LAKE COUNTY, UTAH

SECTION	ACRES	FRAC
31	36.00	36/36
32	36.00	36/36

TOWNSHIP BOUNDARIES

TOWNSHIP	ACRES	FRAC
MAGNA METRO	72.00	72/72

COUNTY BOUNDARIES

COUNTY	ACRES	FRAC
SALT LAKE COUNTY	72.00	72/72

EXHIBIT 3
WATER EFFICIENCY STANDARDS

WATER EFFICIENCY STANDARDS

Purpose

The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.

Applicability

The following standards shall be required for all developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. The Outdoor Landscaping Standards shall also be required for all new landscaping construction installed by homeowners.

Indoor Fixture Requirements

All new and future construction and future additions, remodels, or refurbishments shall have, at the minimum, fixtures that comply with the efficiency standards listed below:

- A. Toilets shall be WaterSense labeled and use 1.28 gallons per flush or less;
- B. Urinals shall be WaterSense labeled and use 0.5 gallons per flush or less;
- C. Showerheads shall be WaterSense labeled and use 2.0 gallons per minute or less;
- D. Kitchen faucets shall be WaterSense labeled and use 1.5 gallons per minute or less;
- E. Bathroom faucets shall be WaterSense labeled and use 0.5 gallons per minute or less;
- F. Commercial pre-rinse spray valves shall be WaterSense labeled and use 1.28 gallons per minute or less;
- G. Clothes washers shall be ENERGY STAR certified and have an integrated water factor of 4.3 or less;
- H. Dishwashers shall be ENERGY STAR certified and use 3.5 gallons per cycle or less;

Outdoor Landscaping Standards

All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects, and homeowner provided landscape improvements within the front, side, and rear yards of single and two-family dwellings shall comply with the landscaping standards below:

Definitions

- A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- B. Active Recreation Areas: Areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).
- C. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.

- D. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- E. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.
- F. Lawn: Ground that is covered with grass or turf that is regularly mowed.
- G. Localscapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).
- H. Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
- I. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
- J. Paths: Designed routes between landscape areas and features.
- K. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- L. Total Landscaped Area: Improved areas of the property that incorporate all of the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

Landscaping Requirements

- A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in turf areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- B. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and Planting Beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- C. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
- D. At least 3-4 inches of Mulch, permeable to air and water, shall be used in Planting Beds to control weeds and improve the appearance of the landscaping.

- E. At maturity, landscapes shall have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
- F. Lawn shall not be installed in Park Strips, Paths, or on slopes greater than 25% or 4:1 grade, and be less than 8 feet wide at its narrowest point. To the extent reasonably practicable, Lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
- G. In residential landscapes, the landscaping shall adhere to the following Localscapes requirements:
 - a. If size permits, the landscaped areas of the front yard and back yard shall include a designed Central Open Shape created by using Lawn, Hardscape, groundcover, gravel, or Mulch.
 - b. Gathering Areas shall be constructed of Hardscape and placed outside of the Central Open Shape. In a landscape without Lawn, Gathering Areas may function as the Central Open Shape.
 - c. Activity Zones shall be located outside of the Central Open Shape and shall be surfaced with materials other than Lawn.
 - d. Paths shall be made with materials that do not include Lawn, such as Hardscape, Mulch, or other groundcover.
 - e. Lawn areas shall not exceed 35% of the Total Landscaped Area.
- H. In commercial, industrial and institutional landscapes, Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of Active Recreation Areas.

EXHIBIT B
WATER EFFICIENCY STANDARDS

WATER EFFICIENCY STANDARDS

Purpose

The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.

Applicability

The following standards shall be required for all developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. The Outdoor Landscaping Standards shall also be required for all new landscaping construction installed by homeowners.

Indoor Fixture Requirements

All new and future construction and future additions, remodels, or refurbishments shall have, at the minimum, fixtures that comply with the efficiency standards listed below:

- A. Toilets shall be WaterSense labeled and use 1.28 gallons per flush or less;
- B. Urinals shall be WaterSense labeled and use 0.5 gallons per flush or less;
- C. Showerheads shall be WaterSense labeled and use 2.0 gallons per minute or less;
- D. Kitchen faucets shall be WaterSense labeled and use 1.5 gallons per minute or less;
- E. Bathroom faucets shall be WaterSense labeled and use 0.5 gallons per minute or less;
- F. Commercial pre-rinse spray valves shall be WaterSense labeled and use 1.28 gallons per minute or less;
- G. Clothes washers shall be ENERGY STAR certified and have an integrated water factor of 4.3 or less;
- H. Dishwashers shall be ENERGY STAR certified and use 3.5 gallons per cycle or less;

Outdoor Landscaping Standards

All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects, and homeowner provided landscape improvements within the front, side, and rear yards of single and two-family dwellings shall comply with the landscaping standards below:

Definitions

- A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- B. Active Recreation Areas: Areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).

- C. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.
- D. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- E. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.
- F. Lawn: Ground that is covered with grass or turf that is regularly mowed.
- G. Localscapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).
- H. Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
- I. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
- J. Paths: Designed routes between landscape areas and features.
- K. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- L. Total Landscaped Area: Improved areas of the property that incorporate all of the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

Landscaping Requirements

- A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in turf areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- B. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and Planting Beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- C. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.

- D. At least 3-4 inches of Mulch, permeable to air and water, shall be used in Planting Beds to control weeds and improve the appearance of the landscaping.
- E. At maturity, landscapes shall have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
- F. Lawn shall not be installed in Park Strips, Paths, or on slopes greater than 25% or 4:1 grade, and be less than 8 feet wide at its narrowest point. To the extent reasonably practicable, Lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
- G. In residential landscapes, the landscaping shall adhere to the following Localscapes requirements:
 - a. If size permits, the landscaped areas of the front yard and back yard shall include a designed Central Open Shape created by using Lawn, Hardscape, groundcover, gravel, or Mulch.
 - b. Gathering Areas shall be constructed of Hardscape and placed outside of the Central Open Shape. In a landscape without Lawn, Gathering Areas may function as the Central Open Shape.
 - c. Activity Zones shall be located outside of the Central Open Shape and shall be surfaced with materials other than Lawn.
 - d. Paths shall be made with materials that do not include Lawn, such as Hardscape, Mulch, or other groundcover.
 - e. Lawn areas shall not exceed 35% of the Total Landscaped Area.
- H. In commercial, industrial and institutional landscapes, Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of Active Recreation Areas.

STATE OF UTAH)
) :ss.
COUNTY OF SALT LAKE)



On this 15th day of September, 2020, I hereby certify that I am the custodian of this document and that this photocopy is a true, complete and unaltered photocopy of the original document, made by me.

JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Witness my hand and official seal.

RESOLUTION OF THE BOARD OF TRUSTEES

Beverly M. Paus
Notary Public

RESOLUTION NO. 20-24

APPROVING ANNEXATION OF LANDS INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

WHEREAS, a written “Petition for Inclusion of Lands Within the Boundaries of the Jordan Valley Water Conservancy District” (the “Petition”) was filed with the Board of Trustees on July 30, 2020, by Kennecott Utah Copper LLC, a Utah limited liability company (“Landowner”), asking that certain real property it owns in Salt Lake County (the “Lands”) be annexed into the Jordan Valley Water Conservancy District;

WHEREAS, a copy of the Petition, including a description and map of the Lands, is attached as Exhibit A;

WHEREAS, the Petition was certified by the Board of Trustees on August 12, 2020, in the “Petition Certification” in accordance with Utah law, and written notice of the “Petition Certification” was given to the Contact Sponsor identified in the Petition in accordance with Utah law;

WHEREAS, written notice of the Petition and of the proposed annexation was properly and timely given in accordance with Utah law;

WHEREAS, a public hearing is not required by law and one has not been requested on the Petition or the proposed annexation;

WHEREAS, no objection or protest has been made either to the Petition or to the proposed annexation;

WHEREAS, all relevant statutory requirements under Utah law have been satisfied for approval of the Petition and for annexation of the Lands into the District;

WHEREAS, Magna Water District (“MWD”) is a wholesale customer and Member Agency of the District; and;

WHEREAS, MWD annexed the Lands into its geographical boundaries after January 15, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Jordan Valley Water Conservancy District Board of Trustees:

1. The Board of Trustees of the Jordan Valley Water Conservancy District ("District") finds that the District is a water conservancy district organized in 1951 and existing under the Utah Water Conservancy District Act, Utah Code Ann. §§ 17B-2a-1001 et seq.;

2. The Board finds that the District provides both wholesale and retail culinary water service within its geographical service area situated in parts of Salt Lake and Utah Counties;

3. The Board finds that the District provides wholesale culinary water service to MWD pursuant to a written agreement between the parties, and that MWD acquires the wholesale water service from the District and, in turn, provides it as a retail service;

4. The Board finds that MWD is now located at least partly within the District;

5. The Board finds that MWD intends to provide to the Lands the same retail water service that the District provides to the City as a wholesale service;

6. The Board finds that the Lands are now outside the District's boundaries;

7. The Board finds that no part of the Lands is within the boundaries of another local district that provides the same wholesale service as the District;

8. The Board finds that the Lands may be benefited by annexation into the District in that over time they will have access to the District's water supply, facilities, and services;

9. The Board finds that annexation of the Lands into the District will not impair or adversely affect: (a) the District's organization; (b) the District's rights in or to property; (c) any of the District's other rights or privileges; or, (d) any contract, obligation, lien, or charge for or upon which the District might be liable or chargeable had the proposed annexation not been made;

10. The Board finds that the proposed annexation does not jeopardize the prompt payment of principal and interest on the bonds of the District now outstanding or of the payment by the District of installments of indebtedness or obligations under any contract;

11. The District has entered into an agreement with the United States that requires the consent of the United States for annexation of the Lands into the District. Prior to the adoption of this Resolution, the Board received the formal, written approval of the Bureau of Reclamation to the annexation of the Lands into the District on the terms set forth in this Resolution;

12. The Board shall file a notice with the Lieutenant Governor of the State of Utah, accompanied by a copy of this Resolution and either an accurate map depicting the boundaries of the Lands or a legal description of the Lands, adequate for purposes of the Salt Lake County Assessor and Recorder, and a certification by the Board that all requirements for annexation of the Lands have been complied with;

13. The Board determines that the proposed annexation shall be complete and effective upon the Lieutenant Governor's issuance to the Board of the certificate of annexation pursuant to Utah law, with copies sent as required by law, at which time:

(a) The Lands, as described in Exhibit A, shall be annexed into the District;

(b) The Lands shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as adopted and/or amended from time to time; and,

(c) The Lands shall be assigned to the Second Division of the District.

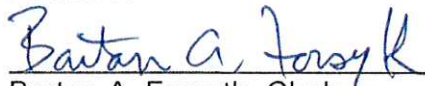
14. This Resolution shall take effect immediately upon execution by an authorized member of the Board.

PASSED, ADOPTED, and APPROVED this 9th day of September, 2020.



Corey L. Rushton
Chair of the Board of Trustees

ATTEST:



Barton A. Forsyth, Clerk

EXHIBIT A

COPY OF PETITION FOR INCLUSION OF LANDS
WITHIN THE BOUNDARIES OF
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

PETITION FOR INCLUSION OF LANDS WITHIN THE BOUNDARIES OF
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

TO THE BOARD OF TRUSTEES OF THE JORDAN VALLEY WATER
CONSERVANCY DISTRICT:

1. The undersigned, Kennecott Utah Copper LLC, a Utah limited liability company ("Landowner"), pursuant to the provisions of Utah Code Ann. §§ 17B-1-401 et seq., hereby petitions the Jordan Valley Water Conservancy District, through its Board of Trustees, to change the boundaries of the Jordan Valley Water Conservancy District to include and annex into the District the Lands which are described on attached Exhibit 1 and whose boundaries are shown on the map attached as Exhibit 2.

2. Landowner certifies the Lands are private. The Lands constitute 100% of the total private land within the entire area proposed to be annexed, and the Lands are equal to 100% of the assessed value of all private real property within the area proposed to be annexed.

3. The Lands are within the boundaries of Magna Water District ("MWD"). MWD is a Member Agency of the District; receives wholesale water from the District; and it, at its sole discretion, may provide retail water to the Lands.

4. Landowner and MWD have read the District's Water Efficiency Standards (as shown in attached Exhibit 3), understand the Standards, and hereby agree to abide by them, as they may be amended.

5. Landowner has obtained the written concurrence to this Petition from MWD.

6. Landowner hereby assents to the Inclusion of the Lands in the District and it acknowledges the Lands will be benefitted by inclusion. Landowner further acknowledges that the Lands to be included in the District shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as they may be adopted and/or amended from time to time.

7. Landowner hereby designates up to three signers of the Petition as Sponsors:

- | | |
|--|--|
| (i) Name: Gaby Poirier | (ii) Name: John Birkinshaw <i>Colton Norman</i> |
| Mailing Address: 4700 Daybreak Parkway | Mailing Address: 4700 Daybreak Parkway |
| South Jordan, Utah 84009 | South Jordan, Utah 84009 |
| Phone Number: 801-204-1000 | Phone Number: 801-204-1000 |

- (iii) Name: Jeff Stephenson
- Mailing Address: 4700 Daybreak Parkway
- South Jordan, Utah 84009
- Phone Number: 801-204-1000

8. The Contact Sponsor for Landowner is Jeff Stephenson; Mailing Address: 4700 Daybreak Parkway, South Jordan, Utah 84009; Telephone Number: 801-558-4355.

[SIGNATURE PAGE FOLLOWS]

Approved as to form
Rio Tinto Legal
Hugh Thatcher
Chief Counsel - US

Thatcher, Hugh (RT-Legal) 8/20/2020 10:24:10 AM

Dated: July 27, 2020

"Landowner":

Kennecott Utah Copper LLC

By:

Its:

MANAGING DIRECTOR RILEY

Typed Name: GABY POWNER

Current Address:

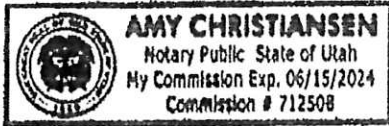
Attn: Director Land Planning and Divestment
4700 Daybreak Parkway
South Jordan, Utah 84009
Telephone: 801-204-1000

Current Mailing Address:

Attn: Legal
4700 Daybreak Parkway
South Jordan, Utah 84009

STATE OF UTAH)
) : ss.
COUNTY OF SALT LAKE)


The foregoing instrument was acknowledged before me this 27th day of July
_____, 2020 by Gabby Powner the Managing Director
of Kennecott Utah Copper LLC, a Utah limited liability company.



Amy Christiansen
NOTARY PUBLIC
Residing in Heber City, Utah

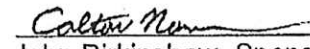
Commission expires: 06/15/2024

Dated: July 27, 2020

By: 

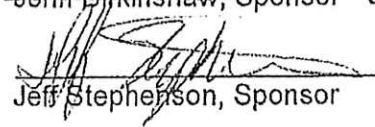
Gabý Poirier, Sponsor

Dated: July 29, 2020

By: 

~~John Birkinshaw, Sponsor~~ Colton Norman

Dated: July 27, 2020

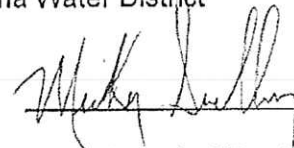
By: 

Jeff Stephenson, Sponsor

Concurrence:

Magna Water District

Dated: July 30, 2020

By: 

Its: Chair, Board of Trustees

EXHIBIT 1

LEGAL DESCRIPTION OF THE LANDS TO BE INCLUDED AND ANNEXED INTO
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

The following real property is located in Salt Lake County, Utah:

A parcel of land situate in the East half of Section 31 and the West half of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point in the existing Jordan Valley Water Conservancy District boundary located at the intersection of the Southerly line of the Denver & Rio Grande Western Railroad Right-of-Way and the West Right-of-Way of 8400 West Street (U-111), said point also being South 00°01'06" West 154.21 feet along the section line and West 71.00 feet from the center section of said Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running thence along said existing Jordan Valley Water Conservancy District boundary the following ten (10) courses: 1) South 00°01'06" West 1,775.11 feet along the West Right-of-Way of 8400 West Street (U-111); 2) North 89°40'50" West 373.32 feet; 3) South 00°01'06" West 319.50 feet; 4) North 89°40'50" West 165.00 feet; 5) South 00°01'06" West 250.00 feet; 6) South 89°40'50" East 165.00 feet; 7) South 00°01'06" West 107.00 feet to the North Right-of-Way line of the 4100 South Street, a point on the Jordan Valley Water Conservancy District boundary, and a point in the existing West Valley City boundary established by that Hercules Annexation to West Valley City recorded as Entry No. 4603394 in Book 88-3 at Page 21 in the office of said Recorder; 8) North 89°40'50" West 1,038.09 feet along said North Right-of-Way line, existing Jordan Valley Water Conservancy District boundary; 9) South 00°01'06" West 33.00 feet along said existing Jordan Valley Water Conservancy District boundary; 10) North 89°40'50" West 242.18 feet along said existing Jordan Valley Water Conservancy District boundary and a Westerly extension thereof to a point that is 25 feet perpendicularly distant Northeasterly from the center of tracks of the Bingham & Garfield Railroad; thence along a line that is 25 feet perpendicularly or radially distant Northeasterly from the center of said tracts the following five (5) courses: 1) North 43°48'26" West 1,625.75 feet to a point of tangency with a curve to the right; 2) Northwesterly 288.38 feet along the arc of a 2175.00 foot radius curve to the right (center bears North 46°11'36" East and the chord bears North 40°00'30" West 288.17 feet with a central angle of 07°15'43") to a point compound curvature; 3) Northwesterly 759.85 feet along the arc of a 1,885.08 foot radius curve to the right (center bears North 53°47'23" East and the chord bears North 24°39'45" West 754.72 feet with a central angle of 23°05'43"); 4) North 13°06'54" West 549.11 feet to the point of curvature; 5) Northwesterly 1,054.43 feet along the arc of a 1935.06 foot radius curve to the left (center bears South 76°53'06" West and the chord bears North

28°43'32" West 1,041.43 feet with a central angle of 31°13'15") to the West line of the Southeast quarter of the Northeast quarter of said Section 31; thence North 00°26'42" East 427.91 feet to the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 31; thence North 89°44'49" East 1,117.41 feet along the North line of the Southeast quarter of the Northeast quarter of said Section 31 to the Southwesterly line of said Denver & Rio Grande Western Railroad Right-of-Way and point on the said existing Jordan Valley Water Conservancy District boundary; thence along said existing Jordan Valley Water Conservancy District boundary the following one (1) course: 1) Southeasterly 3,229.51 feet along the arc of a 4,347.28 foot radius curve to the left (center bears North 49°21'37" East and the chord bears South 61°55'18" East 3155.76 feet with a central angle of 42°33'50") along said Right-of-Way to the point of beginning.

EXHIBIT 2

MAP SHOWING THE BOUNDARIES
OF THE LANDS TO BE INCLUDED AND ANNEXED
INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

FINAL LOCAL ENTITY PLAT

ANNEXATION OF THE PROPERTY WITHIN GATEWAY TO LITTLE VALLEY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT

LOCATED WITHIN SECTIONS 31 AND 32 TOWNSHIP 15 NORTH, RANGE 7 WEST, SALT LAKE BASIN AND BERIDIAN MAGNAM METRO TOWNSHIP, SALT LAKE COUNTY, UTAH

SEPTEMBER 2020

SURVEYOR'S CERTIFICATE
 I, the undersigned, a duly licensed and sworn Surveyor in the State of Utah, do hereby certify that the foregoing plat was prepared by me or under my direct supervision and that I am a duly licensed Surveyor in the State of Utah. I am duly licensed under the provisions of the Utah Surveyor's License Act, Chapter 108, Section 10-1-1, Utah Code, Annotated, 2019 Supplement, and I am duly sworn to the duties of a Surveyor in the State of Utah. I am duly licensed under the provisions of the Utah Surveyor's License Act, Chapter 108, Section 10-1-1, Utah Code, Annotated, 2019 Supplement, and I am duly sworn to the duties of a Surveyor in the State of Utah. I am duly licensed under the provisions of the Utah Surveyor's License Act, Chapter 108, Section 10-1-1, Utah Code, Annotated, 2019 Supplement, and I am duly sworn to the duties of a Surveyor in the State of Utah.

BOUNDARY DESCRIPTION
 A parcel of land in the East 1/2 of Section 31, Township 15 North, Range 7 West, Salt Lake Basin and Beridian Magmam Metro Township, Salt Lake County, Utah, containing approximately 100.00 acres, more or less, as shown on the attached plat, and bounded as follows: on the north by the south 1/2 of Section 31, Township 15 North, Range 7 West, Salt Lake Basin and Beridian Magmam Metro Township, Salt Lake County, Utah, containing approximately 100.00 acres, more or less, as shown on the attached plat; on the east by the east 1/2 of Section 31, Township 15 North, Range 7 West, Salt Lake Basin and Beridian Magmam Metro Township, Salt Lake County, Utah, containing approximately 100.00 acres, more or less, as shown on the attached plat; on the south by the south 1/2 of Section 32, Township 15 North, Range 7 West, Salt Lake Basin and Beridian Magmam Metro Township, Salt Lake County, Utah, containing approximately 100.00 acres, more or less, as shown on the attached plat; and on the west by the west 1/2 of Section 31, Township 15 North, Range 7 West, Salt Lake Basin and Beridian Magmam Metro Township, Salt Lake County, Utah, containing approximately 100.00 acres, more or less, as shown on the attached plat.

REMARKS
 This plat was prepared by me or under my direct supervision and that I am a duly licensed Surveyor in the State of Utah. I am duly licensed under the provisions of the Utah Surveyor's License Act, Chapter 108, Section 10-1-1, Utah Code, Annotated, 2019 Supplement, and I am duly sworn to the duties of a Surveyor in the State of Utah. I am duly licensed under the provisions of the Utah Surveyor's License Act, Chapter 108, Section 10-1-1, Utah Code, Annotated, 2019 Supplement, and I am duly sworn to the duties of a Surveyor in the State of Utah. I am duly licensed under the provisions of the Utah Surveyor's License Act, Chapter 108, Section 10-1-1, Utah Code, Annotated, 2019 Supplement, and I am duly sworn to the duties of a Surveyor in the State of Utah.

PREPARED FOR
 JORDAN VALLEY WATER CONSERVANCY DISTRICT

DATE
 SEPTEMBER 2020

BY
 [Signature]

TITLE
 SURVEYOR

NO.
 12345

EXPIRES
 12/31/2025

ISSUED
 SEPTEMBER 2020

FILED
 SEPTEMBER 2020

BOOK
 12345

PAGE
 1 OF 1

DATE
 SEPTEMBER 2020

BY
 [Signature]

TITLE
 SURVEYOR

NO.
 12345

EXPIRES
 12/31/2025

ISSUED
 SEPTEMBER 2020

FILED
 SEPTEMBER 2020

BOOK
 12345

PAGE
 1 OF 1

DATE
 SEPTEMBER 2020

BY
 [Signature]

TITLE
 SURVEYOR

NO.
 12345

EXPIRES
 12/31/2025

ISSUED
 SEPTEMBER 2020

FILED
 SEPTEMBER 2020

BOOK
 12345

PAGE
 1 OF 1

DATE
 SEPTEMBER 2020

BY
 [Signature]

TITLE
 SURVEYOR

NO.
 12345

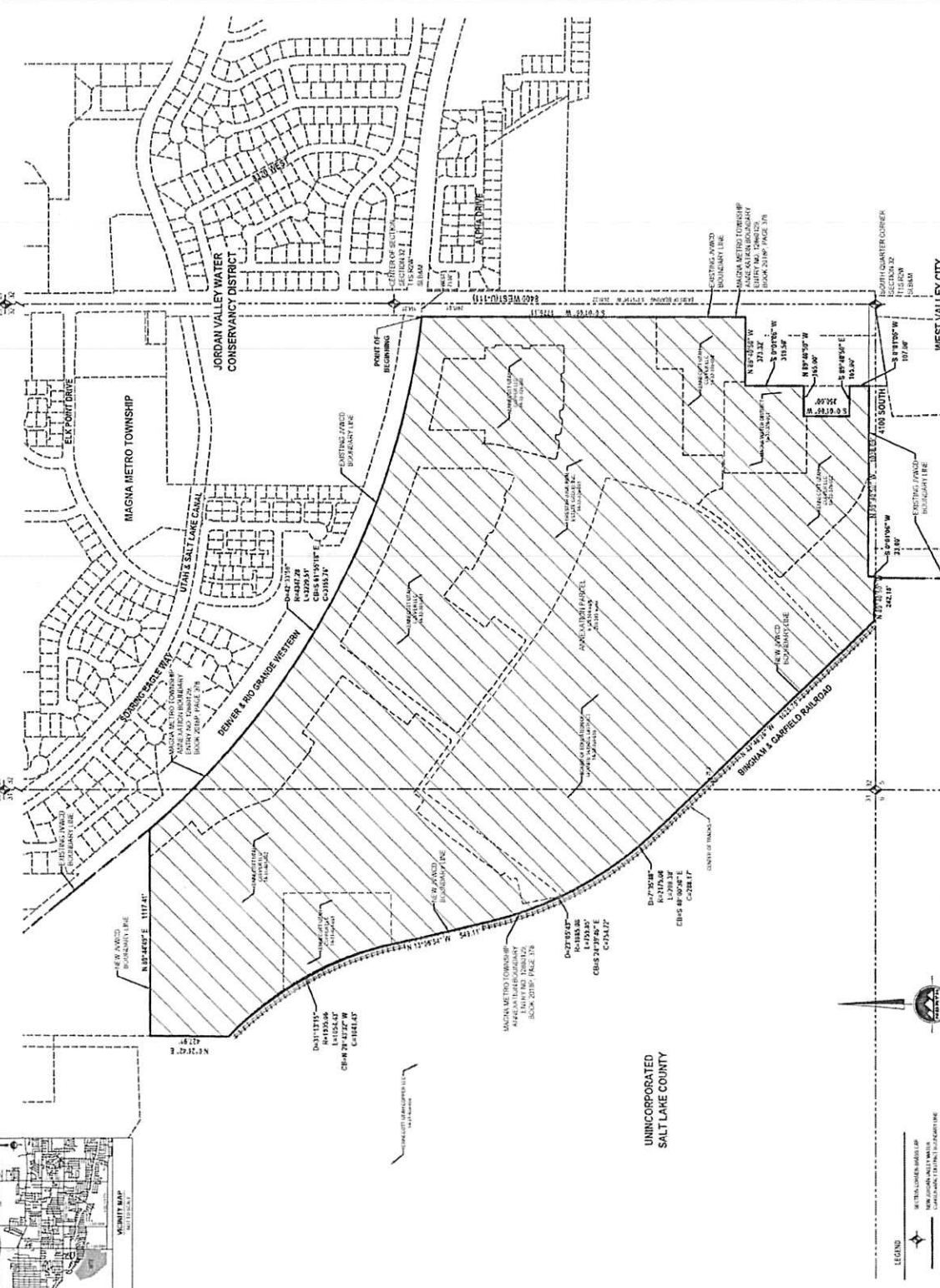
EXPIRES
 12/31/2025

ISSUED
 SEPTEMBER 2020

FILED
 SEPTEMBER 2020

BOOK
 12345

PAGE
 1 OF 1



LEGEND

- METRO TOWNSHIP BOUNDARY
- LOCAL GOVERNMENT BOUNDARY
- UNINCORPORATED SALT LAKE COUNTY
- JORDAN VALLEY WATER CONSERVANCY DISTRICT
- MAGNAM METRO TOWNSHIP
- WEST VALLEY CITY

SCALE
 HORIZONTAL GRAPHIC SCALE
 1" = 100.00'

PROJ. DATA

PROJ. SYSTEM	NAD 83
PROJ. NAME	UTAH STATE PLANE
FUSION	UTAH STATE PLANE
UNIT	FEET
SCALE FACTOR	1.000000
FALSE EASTING	5000.00
FALSE NORTHING	5000.00
EASTING AT ORIGIN	0.00
NORTHING AT ORIGIN	0.00
PARAMETER	UTAH STATE PLANE
UTM ZONE	12N
UTM EASTING	5000.00
UTM NORTHING	5000.00

SHEET 1 OF 1

PROJECT NUMBER: 12345
 DATE: 09/20/20
 DRAWN BY: J. D. SMITH
 CHECKED BY: M. J. DAVIS

UNINCORPORATED SALT LAKE COUNTY

JORDAN VALLEY WATER CONSERVANCY DISTRICT

MAGNAM METRO TOWNSHIP

WEST VALLEY CITY

ENSIGN

SALT LAKE COUNTY SURVEYOR

JORDAN VALLEY WATER CONSERVANCY DISTRICT

LAYTON

SALT LAKE CITY

EXHIBIT 3
WATER EFFICIENCY STANDARDS

WATER EFFICIENCY STANDARDS

1. Purpose
The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.
2. Applicability
The following standards shall be required for all developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. The Outdoor Landscaping Standards shall also be required for new landscaping construction installed by homeowners.
3. Indoor Fixture Requirements
It is recommended and encouraged, but not mandated, that all new and future construction and future additions, remodels, or refurbishments install plumbing fixtures that have the WaterSense label, including: lavatory faucets, shower heads, sink faucets, water closets (tank and flushometer-valve toilets), and urinals, to the extent Utah law allows municipalities or local districts to require these fixtures.
4. Outdoor Landscaping Standards
All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects within the front and side yards, and homeowner provided landscape improvements within the front and side yards of single and two-family dwellings shall comply with the landscaping standards below:

Definitions

- A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- B. Active Recreation Areas: Areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).
- C. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.
- D. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- E. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.

- F. Lawn: Ground that is covered with grass or turf that is regularly mowed.
- G. Locascapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).
- H. Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
- I. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
- J. Paths: Designed routes between landscape areas and features.
- K. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- L. Total Landscaped Area: Improved areas of the property that incorporate all of the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

5. Landscaping Requirements

- A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in Lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- B. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and Planting Beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- C. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
- D. At least 3-4 inches of Mulch, permeable to air and water, shall be used in Planting Beds to control weeds and improve the appearance of the landscaping.
- E. At maturity, landscapes are recommended to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.

- F. Lawn shall not be installed in Park Strips, Paths, or on slopes greater than 25% or 4:1 grade, and be less than 8 feet wide at its narrowest point. To the extent reasonably practicable, Lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
- G. In residential landscapes, the landscaping shall adhere to the following Localscapes requirements:
- i. If size permits, the landscaped areas of the front yard and back yard shall include a designed Central Open Shape created by using Lawn, Hardscape, groundcover, gravel, or Mulch.
 - ii. Gathering Areas shall be constructed of Hardscape and placed outside of the Central Open Shape. In a landscape without Lawn, Gathering Areas may function as the Central Open Shape.
 - iii. Activity Zones shall be located outside of the Central Open Shape and shall be surfaced with materials other than Lawn.
 - iv. Paths shall be made with materials that do not include Lawn, such as Hardscape, Mulch, or other groundcover.
 - v. Lawn areas shall not exceed the greater of 250 square feet, or 35% of the Total Landscaped Area.
 - vi. Small residential lots, which have no back yards, which the Total Landscaped Area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide Lawn area requirement of the Landscaping Requirements in section F, are exempt from the 8 feet minimum width Lawn area requirement.
- H. In commercial, industrial, institutional, and multi-family development common area landscapes, Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of Active Recreation Areas.
- I. Certain special purpose landscape areas (e.g. stormwater management areas, etc.) may receive exceptions from the slope limitations and other elements of the Landscaping Requirements (see Paragraph F, above). Applications to receive exceptions are to be considered on a case-by-case basis.
- J. These outdoor standards are not intended to be in conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may be in conflict with Utah law, such conflicting requirements shall not apply.

STATE OF UTAH)
)
 :ss.
COUNTY OF SALT LAKE)

On this 15th day of September,
2020, I hereby certify that I am the custodian of this
document and that this photocopy is a true, complete and
unaltered photocopy of the original document, made by me.



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

Witness my hand and official seal.

Beverly M. Pamy
Notary Public

RESOLUTION OF THE BOARD OF TRUSTEES

RESOLUTION NO. 20-25

APPROVING ANNEXATION OF LANDS INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

WHEREAS, a written "Petition for Inclusion of Lands Within the Boundaries of the Jordan Valley Water Conservancy District" (the "Petition") was filed with the Board of Trustees on July 17, 2020, by Forestar (USA) Real Estate Group Inc., a Delaware corporation qualified to do business and doing business in the State of Utah ("Landowner"), asking that certain real property it owns in Salt Lake County (the "Lands") be annexed into the Jordan Valley Water Conservancy District;

WHEREAS, a copy of the Petition, including a description and map of the Lands, is attached as Exhibit A;

WHEREAS, the Petition was certified by the Board of Trustees on August 12, 2020, in the "Petition Certification" in accordance with Utah law, and written notice of the "Petition Certification" was given to the Contact Sponsor identified in the Petition in accordance with Utah law;

WHEREAS, written notice of the Petition and of the proposed annexation was properly and timely given in accordance with Utah law;

WHEREAS, a public hearing is not required by law and one has not been requested on the Petition or the proposed annexation;

WHEREAS, no objection or protest has been made either to the Petition or to the proposed annexation;

WHEREAS, all relevant statutory requirements under Utah law have been satisfied for approval of the Petition and for annexation of the Lands into the District;

WHEREAS, Magna Water District ("MWD") is a wholesale customer and Member Agency of the District; and;

WHEREAS, MWD annexed the Lands into its geographical boundaries after January 15, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Jordan Valley Water Conservancy District Board of Trustees:

1. The Board of Trustees of the Jordan Valley Water Conservancy District ("District") finds that the District is a water conservancy district organized in 1951 and existing under the Utah Water Conservancy District Act, Utah Code Ann. §§ 17B-2a-1001 et seq.;

2. The Board finds that the District provides both wholesale and retail culinary water service within its geographical service area situated in parts of Salt Lake and Utah Counties;

3. The Board finds that the District provides wholesale culinary water service to MWD pursuant to a written agreement between the parties, and that MWD acquires the wholesale water service from the District and, in turn, provides it as a retail service;

4. The Board finds that MWD is now located at least partly within the District;

5. The Board finds that MWD intends to provide to the Lands the same retail water service that the District provides to the City as a wholesale service;

6. The Board finds that the Lands are now outside the District's boundaries;

7. The Board finds that no part of the Lands is within the boundaries of another local district that provides the same wholesale service as the District;

8. The Board finds that the Lands may be benefited by annexation into the District in that over time they will have access to the District's water supply, facilities, and services;

9. The Board finds that annexation of the Lands into the District will not impair or adversely affect: (a) the District's organization; (b) the District's rights in or to property; (c) any of the District's other rights or privileges; or, (d) any contract, obligation, lien, or charge for or upon which the District might be liable or chargeable had the proposed annexation not been made;

10. The Board finds that the proposed annexation does not jeopardize the prompt payment of principal and interest on the bonds of the District now outstanding or of the payment by the District of installments of indebtedness or obligations under any contract;

11. The District has entered into an agreement with the United States that requires the consent of the United States for annexation of the Lands into the District. Prior to the adoption of this Resolution, the Board received the formal, written approval of the Bureau of Reclamation to the annexation of the Lands into the District on the terms set forth in this Resolution;

12. The Board shall file a notice with the Lieutenant Governor of the State of Utah, accompanied by a copy of this Resolution and either an accurate map depicting the boundaries of the Lands or a legal description of the Lands, adequate for purposes of the Salt Lake County Assessor and Recorder, and a certification by the Board that all requirements for annexation of the Lands have been complied with;

13. The Board determines that the proposed annexation shall be complete and effective upon the Lieutenant Governor's issuance to the Board of the certificate of annexation pursuant to Utah law, with copies sent as required by law, at which time:

(a) The Lands, as described in Exhibit A, shall be annexed into the District;

(b) The Lands shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as adopted and/or amended from time to time; and,

(c) The Lands shall be assigned to the Second Division of the District.

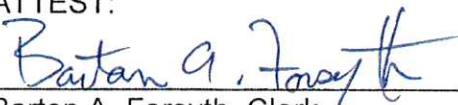
14. This Resolution shall take effect immediately upon execution by an authorized member of the Board.

PASSED, ADOPTED, and APPROVED this 9th day of September, 2020.



Corey L. Rushton
Chair of the Board of Trustees

ATTEST:



Barton A. Forsyth, Clerk

EXHIBIT A

COPY OF PETITION FOR INCLUSION OF LANDS
WITHIN THE BOUNDARIES OF
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

PETITION FOR INCLUSION OF LANDS WITHIN THE BOUNDARIES OF
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

TO THE BOARD OF TRUSTEES OF THE JORDAN VALLEY WATER
CONSERVANCY DISTRICT:

1. The undersigned, Forestar (USA) Real Estate Group Inc., a Delaware corporation qualified to do business and doing business in the State of Utah ("Landowner"), pursuant to the provisions of Utah Code Ann. §§ 17B-1-401 et seq., hereby petitions the Jordan Valley Water Conservancy District, through its Board of Trustees, to change the boundaries of the Jordan Valley Water Conservancy District to include and annex into the District the Lands which are described on attached Exhibit 1 and whose boundaries are shown on the map attached as Exhibit 2.

2. Landowner certifies the Lands are private. The Lands constitute 100% of the total private land within the entire area proposed to be annexed, and the Lands are equal to 100% of the assessed value of all private, real property within the area proposed to be annexed.

3. The Lands are within the boundaries of Magna Water District ("MWD"). MWD is a Member Agency of the District; receives wholesale water from the District; and it, at its sole discretion, may provide retail water to the Lands.

4. Landowner and MWD have read the District's Water Efficiency Standards (as shown in attached Exhibit 3), understand the Standards, and hereby agree to abide by them, as they may be amended.

5. Landowner has obtained the written concurrence to this Petition from MWD.

6. Landowner hereby assents to the inclusion of the Lands in the District and it acknowledges the Lands will be benefitted by inclusion. Landowner further acknowledges that the Lands to be included in the District shall be subject to the District's lawful water rates, assessments, taxes, fees, rules, and regulations as they may be adopted and/or amended from time to time.

7. Landowner hereby designates up to three signers of the Petition as Sponsors:

(i) Name: Daniel C. Bartok

Mailing Address: 2221 East Lamar Boulevard,

Suite 790, Arlington, Texas 76006

Phone Number: 817-769-1870

(ii) Name: James D. Allen

Mailing Address: 2221 East Lamar Boulevard,

Suite 790, Arlington, Texas 76006

Phone Number: 817-769-1860

(iii) Name: Matthew S. Stark

Mailing Address: 10700 Pecan Park Boulevard,

Suite 150, Austin, Texas 78750

Phone Number: 512-433-5212

8. The Contact Sponsor for Landowner is Lauren Adams; Mailing Address: 2221 East Lamar Boulevard, Suite 790, Arlington, Texas 76006; Telephone Number: 817-769-1860.

[SIGNATURE PAGE FOLLOWS]

“Landowner”:

Forestar (USA) Real Estate Group Inc.

Dated: 7-17-2020

By: Daniel C Bartok

Its: Chief Executive Officer

Typed Name: Daniel C. Bartok

Current Residence Address:
2221 East Lamar Boulevard, Suite 790,
Arlington, Texas 76006

Current Mailing Address:
2221 East Lamar Boulevard, Suite 790,
Arlington, Texas 76006

Telephone: 817-769-1860

STATE OF Texas)
 : ss.
COUNTY OF Tarrant)


The foregoing instrument was acknowledged before me this 17th day of July, by Daniel C Bartok.

Commission expires: 11-07-2021



Stephanie Nguyen
NOTARY PUBLIC
Residing in Irving

Dated: 7/17/2020

By: 
Daniel C. Bartok, Sponsor

Dated: 7/17/2020

By: 
James D. Allen, Sponsor

Dated: 7/20/2020

By: 
Matthew S. Stark, Sponsor

Concurrence:

Magna Water District

Dated: 7/20/2020

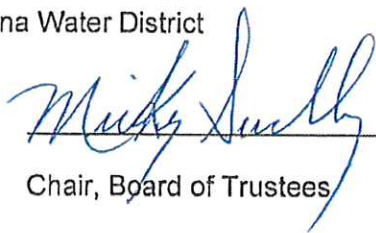
By: 
Its: Chair, Board of Trustees

EXHIBIT 1

LEGAL DESCRIPTION OF THE LANDS TO BE INCLUDED AND ANNEXED INTO
THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

The following real property is located in Salt Lake County, Utah:

A parcel of land situate in the East half of Section 31 and the West half of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point in the existing Jordan Valley Water Conservancy District boundary located at the intersection of the Southerly line of the Denver & Rio Grande Western Railroad Right-of-Way and the West Right-of-Way of 8400 West Street (U-111), said point also being South 00°01'06" West 154.21 feet along the section line and West 71.00 feet from the center section of said Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running thence along said existing Jordan Valley Water Conservancy District boundary the following ten (10) courses: 1) South 00°01'06" West 1,775.11 feet along the West Right-of-Way of 8400 West Street (U-111); 2) North 89°40'50" West 373.32 feet; 3) South 00°01'06" West 319.50 feet; 4) North 89°40'50" West 165.00 feet; 5) South 00°01'06" West 250.00 feet; 6) South 89°40'50" East 165.00 feet; 7) South 00°01'06" West 107.00 feet to the North Right-of-Way line of the 4100 South Street, a point on the Jordan Valley Water Conservancy District boundary, and a point in the existing West Valley City boundary established by that Hercules Annexation to West Valley City recorded as Entry No. 4603394 in Book 88-3 at Page 21 in the office of said Recorder; 8) North 89°40'50" West 1,038.09 feet along said North Right-of-Way line, existing Jordan Valley Water Conservancy District boundary; 9) South 00°01'06" West 33.00 feet along said existing Jordan Valley Water Conservancy District boundary; 10) North 89°40'50" West 242.18 feet along said existing Jordan Valley Water Conservancy District boundary and a Westerly extension thereof to a point that is 25 feet perpendicularly distant Northeasterly from the center of tracks of the Bingham & Garfield Railroad; thence along a line that is 25 feet perpendicularly or radially distant Northeasterly from the center of said tracts the following five (5) courses: 1) North 43°48'26" West 1,625.75 feet to a point of tangency with a curve to the right; 2) Northwesterly 288.38 feet along the arc of a 2175.00 foot radius curve to the right (center bears North 46°11'36" East and the chord bears North 40°00'30" West 288.17 feet with a central angle of 07°15'43") to a point compound curvature; 3) Northwesterly 759.85 feet along the arc of a 1,885.08 foot radius curve to the right (center bears North 53°47'23" East and the chord bears North 24°39'45" West 754.72 feet with a central angle of 23°05'43"); 4) North 13°06'54" West 549.11 feet to the point of curvature; 5) Northwesterly 1,054.43 feet along the arc of a 1935.06 foot radius curve to the left (center bears South 76°53'06"

West and the chord bears North 28°43'32" West 1,041.43 feet with a central angle of 31°13'15") to the West line of the Southeast quarter of the Northeast quarter of said Section 31; thence North 00°26'42" East 427.91 feet to the Northwest corner of the Southeast quarter of the Northeast quarter of said Section 31; thence North 89°44'49" East 1,117.41 feet along the North line of the Southeast quarter of the Northeast quarter of said Section 31 to the Southwesterly line of said Denver & Rio Grande Western Railroad Right-of-Way and point on the said existing Jordan Valley Water Conservancy District boundary; thence along said existing Jordan Valley Water Conservancy District boundary the following one (1) course: 1) Southeasterly 3,229.51 feet along the arc of a 4,347.28 foot radius curve to the left (center bears North 49°21'37" East and the chord bears South 61°55'18" East 3155.76 feet with a central angle of 42°33'50") along said Right-of-Way to the point of beginning.

EXHIBIT 2

MAP SHOWING THE BOUNDARIES
OF THE LANDS TO BE INCLUDED AND ANNEXED
INTO THE JORDAN VALLEY WATER CONSERVANCY DISTRICT

FINAL LOCAL ENTITY PLAT
ANNEXATION OF THE PROPERTY WITHIN GATEWAY TO LITTLE VALLEY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT
 SEPTEMBER 2020
 TOWNSHIP 5 SOUTH, RANGE 7 WEST, SALT LAKE BASIN AND MERIDIAN, DALLAS BEHND TOWNSHIP, SALT LAKE COUNTY, UTAH

SURVEYORS CERTIFICATE

PREPARED BY:
 Ensign Engineering and Surveying, LLC, 1500 West 1500 South, Provo, Utah 84601
 SURVEYORS: _____
 CHECKED BY: _____

BOUNDARY DESCRIPTION

A part of the lands in the Salt Lake Meridian, Township 5 South, Range 7 West, 1st and 2nd West, and Meridian, Dallas Behind Township, Salt Lake County, Utah, hereinafter referred to as the "Property," is shown on the plat and is being annexed to the Jordan Valley Water Conservancy District. The Property is bounded on the north by the boundary of the Jordan Valley Water Conservancy District, on the east by the boundary of the Jordan Valley Water Conservancy District, on the south by the boundary of the Jordan Valley Water Conservancy District, and on the west by the boundary of the Jordan Valley Water Conservancy District. The Property is also bounded on the north by the boundary of the Jordan Valley Water Conservancy District, on the east by the boundary of the Jordan Valley Water Conservancy District, on the south by the boundary of the Jordan Valley Water Conservancy District, and on the west by the boundary of the Jordan Valley Water Conservancy District.

UNINCORPORATED SALT LAKE COUNTY

WEST VALLEY CITY

JORDAN VALLEY WATER CONSERVANCY DISTRICT

MAGNA METRO TOWNSHIP

UTAH & SALT LAKE CANAL

CHERRY ROAD DRIVE

PERKINS & RIO GRANDE WESTERN

UTAH RAILROAD

WEST VALLEY CITY

JORDAN VALLEY WATER CONSERVANCY DISTRICT

ENGIN

SHEET 1 OF 1

PROJECT NUMBER: _____
DATE: _____
DRAWN BY: _____
CHECKED BY: _____

LEGEND

 UNINCORPORATED SALT LAKE COUNTY

 WEST VALLEY CITY

 JORDAN VALLEY WATER CONSERVANCY DISTRICT

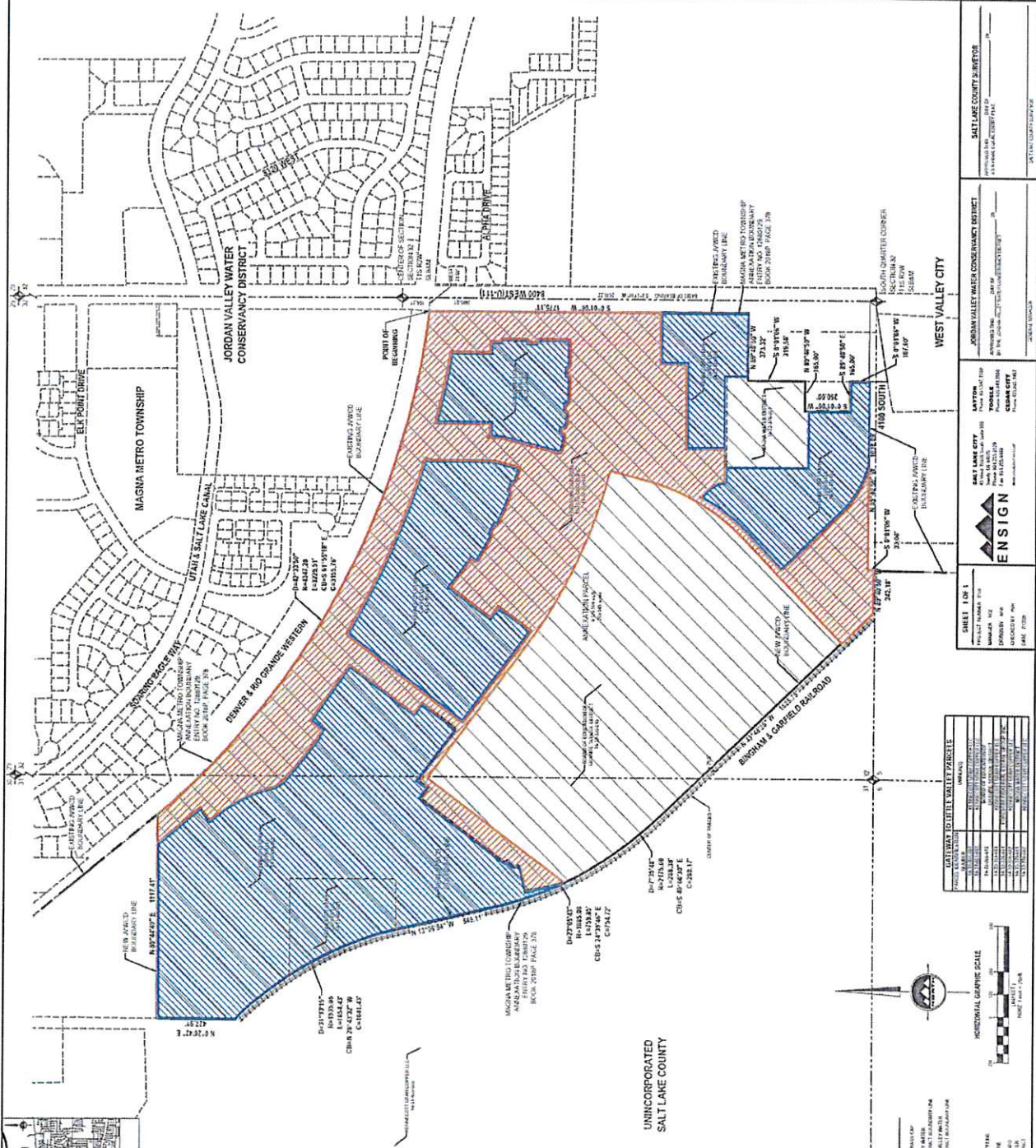
 SALT LAKE COUNTY SURVEYOR

HORIZONTAL GRAPHIC SCALE

1" = 100'

VERTICAL GRAPHIC SCALE

1" = 50'



FINAL LOCAL ENTITY PLAT
ANNEXATION OF THE PROPERTY WITHIN GATEWAY TO LITTLE VALLEY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT
 LOCATED WITHIN SECTIONS 31 AND 32
 TOWNSHIP 5 SOUTH, RANGE 7 WEST, SALT LAKE BASIN AND MERIDIAN
 DALLAS BEHND TOWNSHIP, SALT LAKE COUNTY, UTAH

SURVEYORS CERTIFICATE

PREPARED BY:
 Ensign Engineering and Surveying, LLC, 1500 West 1500 South, Provo, Utah 84601
 SURVEYORS: _____
 CHECKED BY: _____

BOUNDARY DESCRIPTION

A part of the lands in the Salt Lake Meridian, Township 5 South, Range 7 West, 1st and 2nd West, and Meridian, Dallas Behind Township, Salt Lake County, Utah, hereinafter referred to as the "Property," is shown on the plat and is being annexed to the Jordan Valley Water Conservancy District. The Property is bounded on the north by the boundary of the Jordan Valley Water Conservancy District, on the east by the boundary of the Jordan Valley Water Conservancy District, on the south by the boundary of the Jordan Valley Water Conservancy District, and on the west by the boundary of the Jordan Valley Water Conservancy District. The Property is also bounded on the north by the boundary of the Jordan Valley Water Conservancy District, on the east by the boundary of the Jordan Valley Water Conservancy District, on the south by the boundary of the Jordan Valley Water Conservancy District, and on the west by the boundary of the Jordan Valley Water Conservancy District.

UNINCORPORATED SALT LAKE COUNTY

WEST VALLEY CITY

JORDAN VALLEY WATER CONSERVANCY DISTRICT

MAGNA METRO TOWNSHIP

UTAH & SALT LAKE CANAL

CHERRY ROAD DRIVE

PERKINS & RIO GRANDE WESTERN

UTAH RAILROAD

WEST VALLEY CITY

JORDAN VALLEY WATER CONSERVANCY DISTRICT

ENGIN

SHEET 1 OF 1

PROJECT NUMBER: _____
DATE: _____
DRAWN BY: _____
CHECKED BY: _____

LEGEND

 UNINCORPORATED SALT LAKE COUNTY

 WEST VALLEY CITY

 JORDAN VALLEY WATER CONSERVANCY DISTRICT

 SALT LAKE COUNTY SURVEYOR

HORIZONTAL GRAPHIC SCALE

1" = 100'

VERTICAL GRAPHIC SCALE

1" = 50'

EXHIBIT 3
WATER EFFICIENCY STANDARDS

WATER EFFICIENCY STANDARDS

1. Purpose
The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for indoor plumbing fixtures and outdoor landscaping.
2. Applicability
The following standards shall be required for all developer/contractor installed residential, commercial, institutional, and industrial construction, as applicable. The Outdoor Landscaping Standards shall also be required for new landscaping construction installed by homeowners.
3. Indoor Fixture Requirements
It is recommended and encouraged, but not mandated, that all new and future construction and future additions, remodels, or refurbishments install plumbing fixtures that have the WaterSense label, including: lavatory faucets, shower heads, sink faucets, water closets (tank and flushometer-valve toilets), and urinals, to the extent Utah law allows municipalities or local districts to require these fixtures.
4. Outdoor Landscaping Standards
All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects within the front and side yards, and homeowner provided landscape improvements within the front and side yards of single and two-family dwellings shall comply with the landscaping standards below:

Definitions

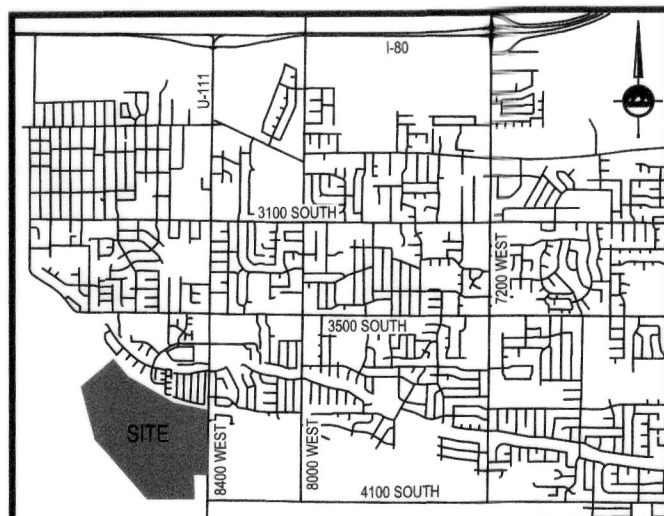
- A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- B. Active Recreation Areas: Areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).
- C. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.
- D. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- E. Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.

- F. Lawn: Ground that is covered with grass or turf that is regularly mowed.
- G. Localscapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).
- H. Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
- I. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
- J. Paths: Designed routes between landscape areas and features.
- K. Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- L. Total Landscaped Area: Improved areas of the property that incorporate all of the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

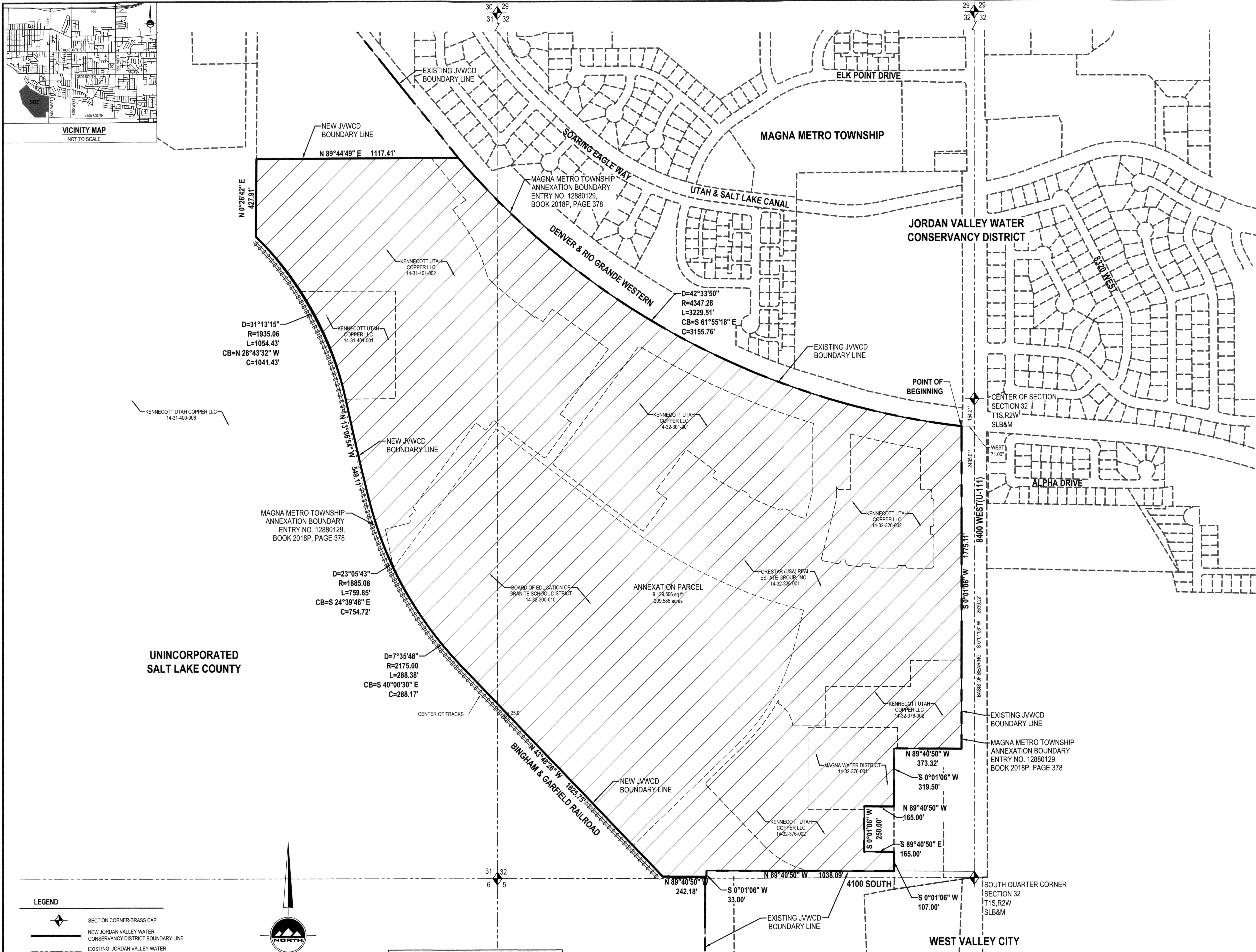
5. Landscaping Requirements

- A. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in Lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- B. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and Planting Beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- C. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
- D. At least 3-4 inches of Mulch, permeable to air and water, shall be used in Planting Beds to control weeds and improve the appearance of the landscaping.
- E. At maturity, landscapes are recommended to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.

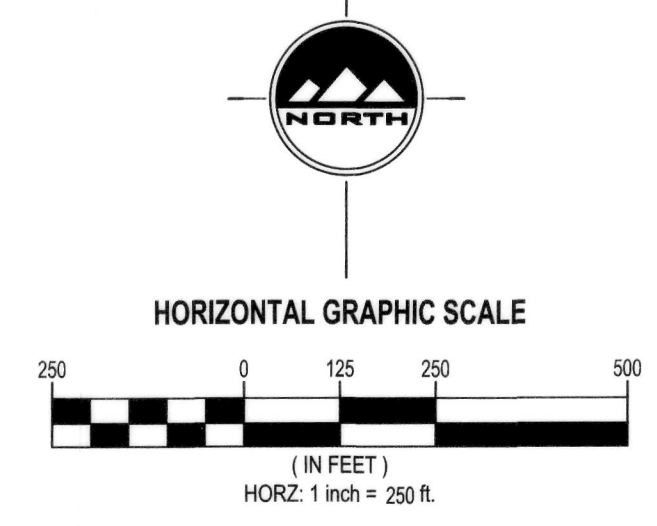
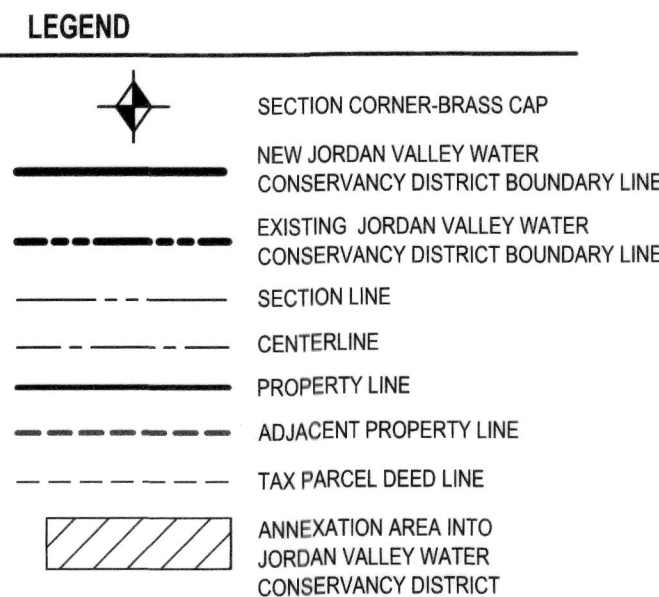
- F. Lawn shall not be installed in Park Strips, Paths, or on slopes greater than 25% or 4:1 grade, and be less than 8 feet wide at its narrowest point. To the extent reasonably practicable, Lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
- G. In residential landscapes, the landscaping shall adhere to the following Localscapes requirements:
- i. If size permits, the landscaped areas of the front yard and back yard shall include a designed Central Open Shape created by using Lawn, Hardscape, groundcover, gravel, or Mulch.
 - ii. Gathering Areas shall be constructed of Hardscape and placed outside of the Central Open Shape. In a landscape without Lawn, Gathering Areas may function as the Central Open Shape.
 - iii. Activity Zones shall be located outside of the Central Open Shape and shall be surfaced with materials other than Lawn.
 - iv. Paths shall be made with materials that do not include Lawn, such as Hardscape, Mulch, or other groundcover.
 - v. Lawn areas shall not exceed the greater of 250 square feet, or 35% of the Total Landscaped Area.
 - vi. Small residential lots, which have no back yards, which the Total Landscaped Area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide Lawn area requirement of the Landscaping Requirements in section F, are exempt from the 8 feet minimum width Lawn area requirement.
- H. In commercial, industrial, institutional, and multi-family development common area landscapes, Lawn areas shall not exceed 20% of the Total Landscaped Area, outside of Active Recreation Areas.
- I. Certain special purpose landscape areas (e.g. stormwater management areas, etc.) may receive exceptions from the slope limitations and other elements of the Landscaping Requirements (see Paragraph F, above). Applications to receive exceptions are to be considered on a case-by-case basis.
- J. These outdoor standards are not intended to be in conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may be in conflict with Utah law, such conflicting requirements shall not apply.



VICINITY MAP
NOT TO SCALE



UNINCORPORATED
SALT LAKE COUNTY



GATEWAY TO LITTLE VALLEY PARCELS	
PARCEL IDENTIFICATION NUMBER	OWNER(S)
14-31-401-001	KENNECOTT UTAH COPPER LLC
14-31-401-002	KENNECOTT UTAH COPPER LLC
14-32-300-010	BOARD OF EDUCATION OF GRANITE SCHOOL DISTRICT
14-32-301-001	KENNECOTT UTAH COPPER LLC
14-32-326-001	FORESTAR (USA) REAL ESTATE GROUP, INC.
14-32-326-002	KENNECOTT UTAH COPPER LLC
14-32-376-001	MAGNA WATER DISTRICT
14-32-376-002	KENNECOTT UTAH COPPER LLC

SHEET 1 OF 1
PROJECT NUMBER: 6108
MANAGER: ROE
DRAWN BY: KFW
CHECKED BY: PMH
DATE: 7/13/20



LAYTON Phone: 801.547.1100
TOOLE Phone: 435.843.3590
CEDAR CITY Phone: 435.865.1453

JORDAN VALLEY WATER CONSERVANCY DISTRICT
APPROVED THIS 14th DAY OF September 20 20
BY THE JORDAN VALLEY WATER CONSERVANCY DISTRICT.
Barton A. Joseph
GENERAL MANAGER

SALT LAKE COUNTY SURVEYOR
APPROVED THIS 17th DAY OF Sept 20 20
AS A FINAL LOCAL ENTITY PLAT.
Steve V. Kjaer
SALT LAKE COUNTY SURVEYOR
Deputy

FINAL LOCAL ENTITY PLAT
ANNEXATION OF THE PROPERTY WITHIN GATEWAY TO LITTLE VALLEY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT
SEPTEMBER 2020
LOCATED WITHIN SECTIONS 31 AND 32
TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
MAGNA METRO TOWNSHIP, SALT LAKE COUNTY, UTAH

SURVEYOR'S CERTIFICATE
I, PATRICK M. HARRIS, a Professional Land Surveyor licensed under Title 58, Chapter 22, Professional Engineers and Land Surveyors Act, holding License No. 286882 do hereby certify that a Final Local Entity Plat, in accordance with Section 17-23-20 of Utah State Code, was made by me, or under my direction, and shown hereon is a true and correct representation of said Final Local Entity Plat. I further certify that by authority of the Owners, I have prepared this plat for the purpose of depicting those properties within Salt Lake County to be annexed into the JORDAN VALLEY WATER CONSERVANCY DISTRICT. The Basis of Bearing is the line between the Center Section of Section 32 and the South Quarter Corner of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian being South 00°01'06" West 2639.22' feet (Assumed). This data has not been field verified.

BOUNDARY DESCRIPTION
A parcel of land situate in the East Half of Section 31 and the West Half of Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at a point in the existing Jordan Valley Water Conservancy District boundary established by that plat recorded as Entry No. 12445822 in Book 2016P at Page 346 in the office of the Salt Lake County Recorder located at the intersection of the Southerly line of the Denver & Rio Grande Western Railroad Right-of-Way and the West Right-of-Way of 8400 West Street (U-111), said point also being South 00°01'06" West 154.21 feet along the section line and West 71.00 feet from the Center Section of said Section 32, Township 1 South, Range 2 West, Salt Lake Base and Meridian; and running
thence along said existing Jordan Valley Water Conservancy District boundary the following ten (10) courses:
1) South 00°01'06" West 1,775.11 feet along the West Right-of-Way of 8400 West Street (U-111)
2) North 89°40'50" West 373.32 feet;
3) South 00°01'06" West 319.50 feet;
4) North 89°40'50" West 165.00 feet;
5) South 00°01'06" West 250.00 feet;
6) South 89°40'50" East 165.00 feet;
7) South 00°01'06" West 107.00 feet to the North Right-of-Way Line of the 4100 South Street, a point on the Jordan Valley Water Conservancy District boundary, and a point in the existing West Valley City boundary established by that Hercules Annexation to West Valley City recorded as Entry No. 4603394 in Book 88-3 at Page 21 in the Office of said Recorder;
8) North 89°40'50" West 1,038.09 feet along said North Right-of-Way Line, existing Jordan Valley Water Conservancy District boundary;
9) South 00°01'06" West 33.00 feet along said existing Jordan Valley Water Conservancy District boundary;
10) North 89°40'50" West 242.18 feet along said existing Jordan Valley Water Conservancy District boundary and a Westerly extension thereof to a point that is 25 feet perpendicularly distant Northeastly from the center of tracks of the Bingham & Garfield Railroad;
thence along a line that is 25 feet perpendicularly or radially distant Northeastly from the center of said tracks the following five (5) courses:
1) North 43°46'25" West 1,625.75 feet to a point of tangency with a curve to the right;
2) Northwesterly 288.38 feet along the arc of a 2175.00 foot radius curve to the right (center bears North 46°11'36" East and the chord bears North 40°00'30" West 288.17 feet with a central angle of 07°15'43") to a point of compound curvature;
3) Northwesterly 759.85 feet along the arc of a 1,885.08 foot radius curve to the right (center bears North 53°47'23" East and the chord bears North 24°39'45" West 754.72 feet with a central angle of 23°05'43");
4) North 13°06'54" West 549.11 feet to the point of curvature;
5) Northwesterly 1,054.43 feet along the arc of a 1935.06 foot radius curve to the left (center bears South 76°53'06" West and the chord bears North 28°43'32" West 1,041.43 feet with a central angle of 31°13'15") to the West line of the Southeast Quarter of the Northeast Quarter of said Section 31;
thence North 00°26'42" East 427.91 feet to the Northwest Corner of the Southeast Quarter of the Northeast Quarter of said Section 31;
thence North 89°44'49" East 1,117.41 feet along the North line of the Southeast Quarter of the Northeast Quarter of said Section 31 to the Southwesterly line of said Denver & Rio Grande Western Railroad Right-of-Way and point on the said existing Jordan Valley Water Conservancy District boundary;
thence along said existing Jordan Valley Water Conservancy District boundary the following one (1) course:
1) Southeastly 3,229.51 feet along the arc of a 4,347.28 foot radius curve to the left (center bears North 49°21'37" East and the chord bears South 61°55'18" East 3155.76 feet with a central angle of 42°33'50") along said Right-of-Way to the point of beginning.

Contains 9,129,506 Square Feet or 209,585 Acres
Professional Land Surveyor
9-3-20
No. 286882
PATRICK M. HARRIS
STATE OF UTAH
SEPT 3, 2020
DATE
PATRICK M. HARRIS
P.L.S. 286882

FINAL LOCAL ENTITY PLAT
ANNEXATION OF THE PROPERTY WITHIN GATEWAY TO LITTLE VALLEY INTO JORDAN VALLEY WATER CONSERVANCY DISTRICT
SEPTEMBER 2020
LOCATED WITHIN SECTIONS 31 AND 32
TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
MAGNA METRO TOWNSHIP, SALT LAKE COUNTY, UTAH

RECORDED # _____
STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEES _____ DEPUTY SALT LAKE COUNTY RECORDER