

<p><b>Summit County Service Area #3</b> 629 Parkway Drive, Suite 1 (435) 649-7949 <a href="mailto:gm@scsa3.org">gm@scsa3.org</a></p> <p>Fee amount paid \$ _____</p> <p>Date paid _____</p>	<p style="text-align: center;"><b>Application for Dedication of Water To Summit County Service Area #3</b></p> <p>Applicant Name _____</p> <p>Phone# _____</p> <p>Email _____</p> <p>Mailing Address _____</p> <p>Lot Number _____</p>
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*Summit County Service Area #3's water dedication requirements are described in Section 16 of Regulation #2023-10. If the estimated water needs of your residential development (i.e., a single-family home) exceed your allocation, 0.75 acre-feet for a lot served by the Service Area's water system or 1.0 acre-foot for an individual/private well that relies on Service Area water rights, you must dedicate water rights sufficient to cover the difference between these amounts and the estimated water needs of your development. Please also note that you may be able to reduce your estimated water use by 0.15 acre-feet for lots with 0.75 acre-feet allocations and 0.30 acre-feet for lots with 1.0 acre-foot allotments by agreeing to install xeriscape landscaping instead of irrigated turf.*

*Additionally, because the Service Area only has sufficient water rights to service its existing and anticipated residential users (i.e., single family homes), most non-residential developments (i.e., developments that are not a single-family home) must apply for water service and dedicate water rights to cover the non-residential development's water use as determined by the Service Area's engineer. The Service Area's engineer will determine the water needs of your development in accordance with Section 4.4.1 of Service Area Regulation #2023-10 and the policies of the Utah Division of Water Rights (<http://www.waterrights.utah.gov/wrinfo/policy/wateruse.asp>), where applicable. If your non-residential development seeks to connect to the Service Area's water system, the engineer will also determine whether the Service Area has sufficient capacity to supply water to your development.*

*The Service Area will only accept water rights that comply with the Utah Division of Water Rights' Snyderville and Park City Groundwater Management Plan. The plan is available here: [https://waterrights.utah.gov/groundwater/ManagementReports/Snyderville/Snyderville\\_GWMP.pdf](https://waterrights.utah.gov/groundwater/ManagementReports/Snyderville/Snyderville_GWMP.pdf).*

*To begin the dedication process, please complete and submit this application to the Service Area. The requested water right information can be obtained from the records of the Utah Division of Water Rights' website (<https://waterrights.utah.gov/>) or the applicable water company.*

**For all applications:**

- Calculation of necessary water use per Service Area Regulations (see section 4.4.1 of Regulation #2023-10).
- Number of accessory units (if any) \_\_\_\_\_.
- Irrigated acreage (if any) \_\_\_\_\_.
- Number of stock (if any) \_\_\_\_\_.
- For non-residential water service applications, an explanation of non-residential use (i.e., any use that is not for a single-family home) and any applicable plans for the proposed development.
- \$3,500 Application Fee.
- Division of Water Rights data printout for water right(s) or share(s).
- Current use(s) of water \_\_\_\_\_.
- Current place(s) of use for water \_\_\_\_\_.

**If a water right is being dedicated, please include the following documents and information with this application:**

- Water Right number for water offered for dedication \_\_\_\_\_.
- Owner of Water Right \_\_\_\_\_.
- Water Right limits \_\_\_\_\_ cfs/ \_\_\_\_\_ acre feet. Priority date \_\_\_\_\_.
- Change application number(s) \_\_\_\_\_. Application(s) status \_\_\_\_\_.
- Copy of recorded deed(s) showing ownership of water right.
- Copy of recorded deed(s) showing ownership of land where water right is used.

**If a water share is being dedicated:**

- Name of water company\_\_\_\_\_.
- Water share certificate number(s)\_\_\_\_\_ and copy of the certificate(s).
- Number of shares being dedicated\_\_\_\_\_.
- Current uses of water right or water shares\_\_\_\_\_.
- Place of use of shares\_\_\_\_\_.
- Change application number(s), if applicable\_\_\_\_\_.

**If an exchange contract with the Weber Basin Water Conservancy District is being dedicated:**

- A copy of the exchange contract with Weber Basin.

## **Notice to Applicant Regarding Dedication Process**

The following is a summary of the steps necessary to finalize a dedication of water to Summit County Service Area #3 (the “**Service Area**”):

(1) The Applicant submits a completed Application for Dedication of Water to Summit County Service Area #3 and supporting documents (the “**Application**”), along with a \$3,500 Application Fee to the Service Area. The \$3,500 Application Fee begins the dedication process but is not intended to cover all the fees and costs associated with the dedication process. The Applicant remains responsible for all costs of the dedication process, including but not limited to filing fees with the Utah Division of Water Rights (the “**Division**”), document preparation fees, attorney fees, engineering fees, recording fees, and title insurance costs above the \$3,500 Application Fee.

(2) The Service Area will hold the \$3,500 Application Fee in escrow and will use the Application Fee to cover filing fees, attorney fees, engineering fees, recording fees, title insurance costs, and other costs associated with the dedication process

(3) The Service Area’s attorneys will review the water right for acceptability to the Service Area and research the water right information on file with the Division. (Please take note that the Service Area’s attorneys represent the Service Area, and not the Applicant, with respect to the dedication process. The Applicant is encouraged to seek independent counsel, if desired.)

(4) The Service Area will send copies of the Application to a title company, along with an appropriate amount from the Application Fee to cover the title company’s initial costs, likely around \$500 to \$1,000, but actual costs may vary. If the dedication is completed and a title insurance policy is issued, the amount paid to the title company will be applied to the policy premium amount due. If the dedication is not completed and a title insurance policy is not issued, the title company will retain the amount paid to cover its title research expenses.

(5) The title company will research title to the water right and will issue a Title Commitment.

(6) The Service Area’s attorneys will review the Title Commitment issued by the title company and will conduct any additional research necessary to determine if the water right is acceptable to the Service Area for dedication. If the water right is acceptable, the Service Area’s attorneys will issue an opinion letter to the Service Area and the Service Area will notify the Applicant in writing that the dedication process can move forward.

(7) Unless the Service Area agrees otherwise, the Service Area’s attorneys will prepare a Water Right Warranty Deed (the “**Deed**”) and an Application for Permanent Change of Water (“**Change Application**”) for the Applicant’s signature. The Service Area will only accept warranty deeds and will not accept any other form of title conveyance, including but not limited to quit claim deeds.

(8) The Applicant will execute the Deed and Change Application and return them to the Service Area. If the dedication involves shares in a water company, the Applicant must properly endorse the share certificate for conveyance to the Service Area and provide the endorsed certificate to the Service Area.

(9) The Service Area will hold the Deed and share certificate (if applicable) in escrow pending an approval of the Change Application that is acceptable to the Service Area.

(10) For exchange contracts with the Weber Basin Water Conservancy Contract, the Applicant must assign all its interest in the contract to the Service Area in lieu of executing a deed. Weber Basin must also approve the assignment and the Division must approve a change application authorizing the Service Area to use the contract within its water system. For each acre-foot dedicated pursuant to an exchange contract with Weber Basin, the Service Area will provide the dedicator with a 0.75 acre-feet allotment and retain 0.25 acre-feet for general use within the Service Area’s water system as compensation for the annual fees Weber Basin will charge the Service Area to maintain the exchange contract.

- (11) The Service Area will sign the Change Application and file the Change Application with the Division.
- (12) The Service Area will move the Change Application through the approval process with the Division, with the assistance of the Service Area's attorneys and Applicant, as needed.
- (13) When the Division makes a final, non-appealable decision regarding the Change Application, the Service Area's attorneys and the Service Area will review the decision to see that it is acceptable. The Service Area will not appeal or request reconsideration of the Division's decision, although applicants may file requests for reconsideration or appeals at their sole cost and expense.
- (14) If the Division denies the change application, the Service Area will return the warranty deed and share certificate (if applicable) as well as any amounts remaining from the \$3,500 application fee, if any. If the Service Area has incurred costs that exceed the \$3,500 application fee, the Service Area will provide the Applicant with an invoice, which the Applicant will promptly pay.
- (15) If the Division's approval is not acceptable to the Service Area, the Service Area will notify the Applicant of the problems in writing and schedule a meeting to address the issues and outline the course of action for the Applicant to follow.
- (16) If the Division approved the application, but approved insufficient quantities of water, the Service Area will notify the Applicant of the shortage, and the Applicant will have thirty (30) days to start this process over again for a water right to cover the shortage.
- (17) If the Division's approval is acceptable to the Service Area:
- (a) The title company will complete a final title check and will notify the Service Area that it is appropriate to record the Deed.
  - (b) The Service Area will record the Deed and, if applicable, surrender any share certificates with the water company to obtain a new certificate in the Service Area's name.
  - (c) The Service Area will file a Report of Conveyance with the Division to update title on the Division's records.
  - (d) The title company will send an invoice to the Applicant for the title premium and any other costs associated with the water right title insurance (less any amounts already paid), which the Applicant will promptly pay. After the Applicant has paid these amounts, the title company will issue the water right title insurance policy.
  - (e) The Service Area's attorney will send an invoice to the Service Area for attorney fees and other costs above the \$3,500 Application Fee. The Service Area will pay the invoice, and then bill the Applicant for reimbursement of these fees and costs. The Applicant will promptly reimburse the Service Area for all outstanding fees and costs.
- (18) The Service Area will not issue a final acceptance of the dedication, nor will it issue any other approvals needed for the Applicant to use the Service Area's water rights or connect to its water system, until:
- (a) The Applicant has reimbursed the Service Area for all fees and costs;
  - (b) The Applicant has paid the title company for the title premium and all other costs associated with the water right title insurance; and
  - (c) The Applicant has complied with all other requirements needed to obtain water service from the Service Area.

*I have read the foregoing and I understand that I will be responsible for all fees and costs associated with the Service Area's water dedication process, including but not limited to filing fees with the Utah Division of Water Rights, recording fees, attorney fees for the Service Area's attorneys, engineering fees for the Service Area's engineers, and water right title insurance costs. I understand that these costs may exceed the \$3,500 Application Fee, and I agree to promptly pay for all fees and costs upon receipt of invoice.*

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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*Signature of Applicant or Authorized Representative*