



Highline Ditch Transition Policy

Administration

Effective: July 21, 2021

Revised:

Purpose: The purpose of this policy is to provide guidance to City employees for the process of ending the use of the Highline Ditch and to give instruction on how to handle a variety of circumstances in the coming years as the City eventually closes the Highline Ditch.

Policy:

I. Background

The Highline Ditch has been in use for one hundred years. Due to the need for capital improvements along the Ditch, it has been determined that water can be supplied more efficiently through the City's existing culinary system. In the long-term, this solution will save water and provide for a lower overall cost to system users.

II. The Plan

The City intends to keep the Highline Ditch open through the 2026 irrigation season subject to the Ditch not needing substantial capital improvements before the end of this season.

- a. Ditch Operation - The Highline Ditch will be operated through the 2026 irrigation system in accordance with current policies, including, but not limited to, schedule, fees, water availability and user list. Users shall not be added to the Ditch schedule. The user list, water amount and fee schedule shall be attached to this Policy.
- b. Fees - The fees for the use of the Highline Ditch in the Fiscal Year 2022 Budget shall remain the fees through the 2026 irrigation season. This discounted fee shall remain in place to allow property owners to bear the cost of connecting to the culinary system. Upon connecting to the culinary system, Highline Ditch Users will be billed for water as set forth in the following table. Users will pay a standard base rate. The discount will be for water utilized ONLY. The discount expires once Users have used an amount equal to their annual share each year. Any water utilization for the balance of the year shall be at full culinary rates. Water shall be billed at a

percentage of rates and at tiers established by the Council in any given budget year.

Year	Percentage of Culinary Rates
Through 2026	10%
2027	10%
2028	20%
2029	30%
2030	40%
2031	50%
2032	60%
2033	70%
2034	80%
2035	90%
2036 and thereafter	100%

- c. Transition to Culinary Systems - Highline Ditch Users can convert to culinary watering at any time. Once a connection has been made utilization of the Highline Ditch water shall cease. Users will receive the discounted culinary rate set forth on the table above even if they connect early. Users shall pay for a culinary meter, if needed. No impact fees to convert to culinary use. Development shall be handled differently as set forth below. User shall coordinate with the Springville City Water Department to connect to the culinary system to avoid cross-connection. In conjunction with this transition, Users will sign an acknowledgement of the transition to culinary water which entitles them to the schedule above.

- d. Billing - Upon transition, a former Highline Ditch User will be billed monthly on their regular city utility bill. At the beginning of each irrigation season, the city will enter a credit on the User's utility bill for the entire irrigation season. This credit will be calculated by converting the User's acre-foot amount to gallons, then dividing by 6 to get an average monthly use of water. The average monthly use of water will be used to calculate a credit through the City's tiered rate schedule and appropriate percentage of culinary rates for a month and then multiplied by 6 to get a total annual credit. The credit may be used for any portion of the User's utility bill. For billing purposes, it is presumed that the irrigation system covers May 1 to October 31.

- e. Damage to Private Property - Springville City is not responsible for damage caused to private property due to failing private systems for delivery of Highline Ditch water. Springville City may deny claims from Highline Ditch Users due to water damage from Highline Ditch water overflow, ditch failure or other causes and it is presumed that by taking Highline Ditch water Highline Ditch Users are assuming this risk.

III. Contingencies and Exceptions

The Highline Ditch Transition Policy will be in place for well over a decade. It is anticipated that additional contingencies and exceptions may be needed. This policy may change at any time to address such needs. Contingencies and Exceptions will be found herein.

- a. Development - If a property is developed by subdividing to add additional lots, only one lot shall receive the benefits of this policy. All additional lots shall be connected to the culinary system and pay regular rates. No water shall be tendered for any property currently watered by the Highline Ditch. Impact fees will be paid in accordance with standard policies. Properties shall receive credit for existing connections in accordance with current policies.
- b. Ditch Failure - If the Highline Ditch fails prior to the end of the of the 2026 irrigation season, the City may choose to cease supplying water through the ditch immediately. Failure is determined as a failure causing the need for a capital project to be scheduled.
- c. Drought/Water Unavailability - City intends to supply water in accordance with existing practice and policy. In the event of drought or water unavailability beyond the control of the City, the City may curtail use of Highline Ditch Water.
- d. Decrease in Users - If the number of users drops due to development or other users switching to the culinary system, the City may reduce the amount of water in the Highline Ditch. Any reduction should allow for all remaining users to receive sufficient water to meet their billed amount in allotments of at least two times per week.
- e. Failure to Pay Bill - Highline Ditch Users will be sent their normal, annual bill until they convert to the culinary system. Failure to pay the annual assessment will forfeit the User's interest in this policy. The City will send

a notice a final opportunity to pay with a reasonable deadline before forfeiting the User's interest.

- f. Highline Utility Bill Credit scenarios - If a Highline Ditch User sells their property during the year, no transfer of credit will occur until the following irrigation year. If the sale occurs prior to the credit being entered, the credit will transfer to the new owner. If a property transitions during the irrigation season, the User will receive a credit for the remainder of the season with the credit calculation being rounded to the nearest whole month. For example, if a transition occurs on June 18, the calculation would be based upon four months.