

AFTER RECORDING RETURN TO:
City of Holladay
Community Development Department
4580 South 2300 East
Holladay Utah 84117



CERTIFICATION OF PROTECTION EXISTING IRRIGATION, CANAL AND STORM DRAIN FACILITIES

Protection of existing waterways at this address is required. Canal waterways including irrigation laterals, pipes, storm drain channels, pipes, and related facilities shall be preserved in function and capacity and protected from encroachments. A permit with review and approval is required for any modification(s) to such facility and or any private improvements within the protection area(s). This agreement certifies that the existing facility will either be protected in place and maintained in equal to or better condition, approved for modification and perpetually maintained by the owner, or encroached upon with private improvements for which the owner assumes maintenance of and an assumption of risk.

1. **Piping of or modifications to, existing facilities are subject to permit and Holladay Ord. 13.76.400.B.**
2. **All terms, designed of the permit subject to the review and approval of the city engineer and as appropriate the city attorney.**
3. **Protection areas extend, 20 feet from the edge of a canal waterways/culverts and 5' from the edge of irrigation pipe or open lateral.**
4. **Current and future landowner(s) shall be responsible for the perpetual and continual maintenance of the waterway improvements.**

WATERWAY SYSTEM NAME: *Upper Canal *Big Cottonwood Tanner Ditch East Jordan Canal Ellison Upper Ellison
 Jordan and Salt Lake City Canal Green Ditch Newman Big Cottonwood Little
**Part 2b is required*

Property Address: _____

Property Owner: _____ Parcel No. _____

Part 1

There is an existing waterway running through or adjacent to this property. The location of this waterway is accurately shown on the site mapping submitted with this subdivision or building permit application File No. _____

(Check all that apply):

- Existing waterways will remain in place and will not be impacted or encroached upon. The waterway will be maintained free from obstructions, debris and there will not be an increase in stormwater runoff conveyed to the waterway.
- Existing waterways are proposed to modified. COMPLETE PART 2 (Attach: site plan with modification designs.) All alterations and modifications require written approval of water company and the City of Holladay.
- Owner proposes private encroachments within the waterway protection area defined by Ordinance. As a condition of the permitted encroachment, owner agrees to the following: File No. _____

The Owner assumes the risk of any damage to persons or property associated with the location of Owner's structures within the protection area and agrees to hold the City and Water Provider harmless for any loss or damage associated with the location of Owner's structure within the protection area, including, but not limited to any claim for loss or damage from subsurface water from the water conveyance structure and from any flooding which is not the result of the negligence.

Owner Name (please print)

Signature Date _____

Part 2a APPROVAL OF MODIFICATION: "EXHIBIT A" -To be reviewed and completed by water provider or facility owner.

The canal/irrigation company has reviewed the proposed development and there are:

- Waterway on the property won't be affected by the modification, said facilities must be protected/preserved; or
- Waterway on the property that will be affected and improvements must be made as set forth in the approved plan.

Name of Canal/Irrigation Company and Manager/Ditch Master: _____

Approval Signature: _____ Date _____

Part 2b UPPER CANAL/BIG COTTONWOOD TANNER DITCH APPROVAL OF MODIFICATION: "EXHIBIT A"

The City of Holladay has reviewed the proposed development and there are:

- Waterway on the property won't be affected by the modification, said facilities must be protected/preserved; or
- Waterway on the property that will be affected and improvements must be made as set forth in the approved plan.

CITY OF HOLLADAY, City Engineer

Approval Signature: _____ Date _____