

Wasatch Peaks Ranch

A vision that honors the history, community, and beauty of Morgan County

Wasatch Peaks Ranch (“WPR”) is committed to contributing positively to Morgan County (the “County”) and the Morgan Valley. We have learned that some misleading and inaccurate information has recently been circulating in our community which we feel compelled to address. We are happy to answer any questions individuals in our community may have and invite them to reach out to us at www.WPRDevCo.com

The concern: Some community members have expressed concern that the County’s review and approval of WPR’s zoning application was not as thorough as it could or should have been.

The facts: WPR worked closely with the County to ensure that 1) the review process was more rigorous than was required under the County land use ordinance; and 2) there were significantly more opportunities for public comment than would typically be required. For example:

Work Group – WPR voluntarily formed a work group of three planning commissioners, three county councilmembers, and additional county staff members who met together for *eight months* before WPR even submitted its application in March 2019. WPR and the County representatives and staff used the work group to identify concerns and desires of the community. WPR modified its development plan significantly based on the input from the community that surfaced during this eight-month period.

Open House – WPR voluntarily hosted a public open house at the Bar W Lodge on February 13, 2019 before submitting the zoning application. All residents of the county were invited and more than 250 members of the community attended. After the open house, and in an effort to receive additional community input, WPR hosted four Q&A sessions where Morgan County community members could ask questions. All comments, concerns, and issues raised in the open house and subsequent Q&A sessions were provided to the entire WPR team including the planner, engineer, and developer. WPR continued to make modifications to its development plan based on these comments and concerns.

Planning Commission – The Morgan County Planning Commission (“The Planning Commission”) requested, and WPR participated in, a second open house and informational presentation, where ample time was provided for public comments and questions. More than 100 people attended the second open house. After the second open house, the Planning Commission held three separate public meetings to review WPR’s application. The meetings were held on June 27, July 11, and July 25, 2019. More than 100 individuals attended each meeting. Additionally, each meeting was live streamed on YouTube and/or Facebook. During the public comment portion of each meeting, a higher number of individuals voiced resounding support for the WPR project than those who voiced their opposition to the WPR project.

County Council – The Morgan County Council held a public hearing on September 3, 2019, and work sessions that were open to the public on September 17, October 1, October 15, and October 30, 2019. The council opened the floor for public comment during each of the meetings that followed the work sessions. More than 100 public citizens attended these meetings and each

meeting was also live streamed on YouTube and/or Facebook. As mentioned above, every one of these meetings had greater numbers of the public speaking in support of WPR's development than in opposition to the project.

The concern: The County's elected officials approved WPR's rezoning application when their constituents opposed approval of the application.

The facts: Residents of Morgan County had many opportunities to express their thoughts on the development during the open houses, Q&A sessions, and public meetings referenced above and hundreds of residents took these opportunities., Public comments supporting the development significantly outweighed public comments against the development. For example:

- May 23, 2019 Planning Commission Meeting: 10 individuals spoke in favor, 5 against
- June 27, 2019 Planning Commission Meeting: 8 individuals spoke in favor, 4 against
- September 3, 2019 County Council Meeting: 14 individuals spoke in favor, 10 against
- October 30, 2019 County Council Meeting: 16 individuals spoke in favor (including 6 of 7 county councilmembers), 4 against

In similar situations, where a large development requires changes to zoning or other land use regulations, it is not uncommon for members of a community opposing a project attend and participate in public meetings at a much higher rate than those who support a project. In this case, supporters outnumbered those opposing the application, often by two to one. WPR sees this as an indication of the importance of this project to the community and the strong community support for the development.

The concern: The development will negatively impact several miles of undeveloped mountain scenery.

The facts: It is important to note that the land in question is privately owned land. The only way to permanently preserve private land is for a public entity to buy it or acquire a conservation easement over it. The land was for sale for three years before WPR purchased it. In that time, no party was willing to purchase the land and ensure that the land would be protected through other means. WPR loves this land, and, in cooperation and collaboration with the county and the community, has agreed to preserve at least 60% of the property through an Open Space Management Plan. The approved and recorded Development Agreement states:

[O]pen space areas . . . shall, consistent with the Open Space Management Plan, be permanently preserved pursuant to conservation easements, plat notes, deed restrictions or other restrictive covenants that cannot be amended.

WPR plans to exceed this contractual obligation, and anticipates preserving more than 7,000 acres of undeveloped, private open space. By almost any standard, this shows an extraordinary commitment to preserving Morgan County's historic and inimitable scenic beauty.

The concern: The development is for a private recreational area and will limit residents' access to mountain recreational activities.

The facts: For many years, Morgan County has been eyed as an ideal location for a new public ski area in Utah. If developed into a public ski area, there is no doubt that such development would come at a steep

cost to Morgan's beautiful alpine view shed and quiet, close-knit rural community. Imagine more than 5,000 new residential units and the traffic of 10,000+ non-residents coming to hike, bike, and ski the slopes every weekend. The residents of Morgan County made it clear to WPR that they did not want this property to become a public resort. And WPR agreed.

Instead, WPR's plan is to develop a private recreational area. As the land owned by WPR is private land and has been for generations, this does not negatively impact any use or access rights of Morgan County residents. The general public has never had access to the area and maintaining the private nature of the property does not negatively affect residents' rights in any way.

Rather, by keeping the property and the development private, WPR has presented the best possible solution for the residents of Morgan County. Morgan County residents have ready access to public mountain recreational areas at an amazing resort approximately 15 minutes away. By developing a private resort, the county will not be overrun by tourists and other visitors coming to recreate at the area. WPR has gone to great expense to ensure that the recreational areas and residences that will be developed have a minimal impact on the scenic view shed. Finally, development of Wasatch Peaks Ranch is projected to generate over \$33 million of tax revenue annually. Nine million dollars of that projected revenue stays with Morgan County and \$24 million goes to the local School District every year. This increase in tax revenue will allow the County, if they so desire, to build and operate new recreation and community amenities that *will* be fully open and available to the public. It will also provide significant educational advances and opportunities for the children and youth of Morgan County. In terms of development on privately owned property, you couldn't ask for a better win-win solution.

The concern: WPR will build residences and housing units that will not increase the inventory available in Morgan County's general real estate market.

The facts: Morgan County's population grew 30% from 2010 to 2018 and more than 3,000 homes have been approved to be built in the county. This rate of residential growth is not sustainable and is creating significant financial stress for the County and its citizens. The residences planned for in WPR's development are a specific type of high-end residence. Though they are not homes that have typically been a part of the Morgan County market, these homes will be taxed in the same way as other residential properties. The projected tax revenue generated by residences at Wasatch Peaks Ranch would relieve the county of significant financial stress, help balance the ratio of tax revenue per capita in the count, and would even make it possible for the county to create an affordable housing program, if desired.

The concern: Should I donate time and money to support litigation against Morgan County in an effort to get a referendum on the ballot?

The facts: Five sponsors filed an application for referendum with Morgan County. The county rejected the application as being non-referable because the application did not meet all of the requirements for such an application under Utah law. Additionally, the application was filed after the statutory deadline for such an application. After the application was rejected, the sponsors appealed to the Second District Court in Morgan County. Their appeal was dismissed for lack of jurisdiction. The five sponsors have now appealed that decision to the Utah Supreme Court. These lawsuits and appeals are against Morgan County. WPR has intervened as a party with an interest in the outcome, but the sponsor's target is the county and the county clerk because of their decision to reject an application that was incomplete and untimely filed.

The concern: Water in Morgan

The facts: In conjunction with the acquisition of the land, WPR exercised our right to an option for 2,000 ac-ft of water available through an existing agreement with Weber Basin Water Conservation District. This water was set aside by Weber Basin Water Conservancy District (WBWCD) based on a 2011 agreement with the previous owner. This contract allows for water to be sourced via onsite wells, springs and diversion from the Weber River System. Regarding project usage of the water, our initial calculations indicate that over 50% of the water usage will be utilized for onsite snowmaking and landscape irrigation. Downstream neighbors will benefit by returning this flow to the river as spring snow melt and seasonal stream flow.

We agree that the Weber River is an important water resource in the Morgan Valley, and because of it's importance the State Engineer requires that all water extracted from wells be replaced with a like amount of water. Our Exchange Application outlines that ALL water extracted from wells will be mitigated at a 1:1 ratio making water users whole. Morgan Valley is closed to new appropriations and all well extractions will be mitigated as required by the State Engineer who ensures that senior water users are protected from interference. With the delivery of exchange replacement water, WPR has shown that all water users will not be impaired.

Weber Basin Water Conservancy District (WBWCD) manages many hundreds of thousands of ac-ft of WPR - Honoring History, Community, and Beauty DMWEST_40145939(3)[1]water under exchange contracts that require replacement mitigation. Many of these contracts are located in the Morgan Valley and have performed for many years without impairment. This includes the Peterson Pipeline system that migrated their water right from a surface right to a well located above the town of Peterson. Existing WBWCD exchanges operate exactly like our proposed exchange. For every ac-ft of water extracted from wells one ac-ft of water is delivered through the Weber River to make the system whole. Flows in the Weber River have not and will not suffer from well extractions.

The concern: Impacts to Peterson and Jacob's Creek

The facts: We agree that Peterson and Jacob's Creeks are important water resources that support fish habitat. Because we will be pumping high quality water from wells into the mountain habitat and using the water on the property there will be an increase in water availability of fresh water. The return flows from our use, including snowmaking and golf irrigation, will result in an increased flows for the creeks.

The concern: Impacts to the town of Peterson:

The facts: The town of Peterson water supply is sourced from a groundwater well located near the mouth of Peterson Creek. The importance of this supply for the community in Peterson was taken into consideration and the WPR groundwater sources have been located more than 2.5 miles from of the town supply so as there will be no potential for impairment. The Peterson groundwater supply will benefit from the additional recharge resulting from the return flows proposed by our use of water on the property.

WPR represents the largest economic development opportunity in the history of Morgan County. WPR will bring the benefits of growth without the costs of

growth including more than 600 job opportunities. WPR has committed to preserve thousands of acres of open space and minimize negative impacts on scenic view sheds throughout the county. Because of this development, Morgan County will have the ability to envision and drive their future vs. reacting to constant budget challenges that ultimately land on the shoulders of the taxpayers – businesses, families, and individuals of Morgan County.

We encourage you to learn more about WPR and share what you learn with your neighbors. Engage with your community in person and on social media to combat misconceptions and misstatements about WPR. Write or email your county councilmembers and express your support for Morgan County in their defense of unnecessary and expensive litigation. Working together, we can envision and achieve a bright future for Morgan Valley today and for generations to come.

For further information please visit <https://wprdevco.com>