

Exhibit #2.

PUD Question #10. Transfer of Development Rights

APPLICATION QUESTION 10

“Describe how this proposal will transfer the required transferrable development rights: According to KCC 16.030.5, this Planned Unit Development may require transferring development rights at a rate proportionate to the size of the development (see 17.13.080.6). The transfer of development rights process is described in KCC 17.13. Please describe whether this project will require transferred development rights, and if they are required, describe how this requirement will be met.”

The Project will not be exceeding the underlying density therefor this Project will not require transferring of development rights.

Exhibit #3.

PUD Question #11. Compatibility Criteria

APPLICATION QUESTION 11 A.

The proposed amendment is compatible with the Comprehensive Plan.

This rezone brings the subject property into compliance with the Kittitas County Comprehensive Plan as this land has been designated with a Rural Residential land use designation. The Kittitas County Comprehensive Plan specifically states on page 8-9 the following: “Zone classifications shown in the Table below outline the zones designed to achieve the goals and policies outlined in the designations.” The Planned Unit Development zone is a zone that has been identified by Kittitas County as an appropriate use within designated Rural Residential Lands. See Table 8.2.4-1. The County’s Comprehensive Plan and Zoning has been found to be in compliance with the Growth Management Act. By providing this new Planned Unit Development Project Rezone, as expected under the Rural Residential Land Use designation and its associated goals policies and objectives (GPO’s 8.1, 8.2, 8.7, 8.13, 8.14, 8.14C, 8.16, 8.21, 8.21B, and more specifically 8.23A, 8.23B, 8.25, 8.28, 8.30, 8.31A, 8.33, 8.34) & the Kittitas County County-Wide Planning Policies, proves that this project is not only compatible, but achieves and is consistent with the goals and policies of the Kittitas County Comprehensive Plan.

Pursuant to the Kittitas County County-Wide Planning Policies (KCCWPP) Section 3 only residential Planned Unit Developments are allowed outside of urban growth areas. This proposed project is a 49-lot residential planned unit development therefore meeting KCCWPP 3.5. This planned unit development rezone is proposed on lands that contain a rural residential land use designation. Within the rural, residential land use designation planned unit development zones are allowed. Furthermore under Table 2.1, which show the corresponding zoning classification within the rural residential land use designation, reflects that there is an estimated number of zero acres identified as a planned unit development zone. This alone provides merit and value by implementing the comprehensive plan to its fullest and designate certain lands as Planned Unit Development zones. Secondly, the rural residential land designation encompasses lands that are adjacent or near identified UGA’s or LAMIRDS. These lands generally have a lower population density than urban areas but higher than most rural areas. This is true with this project as this property is designation as rural residential land and is near the Ellensburg UGA. The location of lands within this proposed PUD are already adjacent to higher density property illustrating that the subject property is suitable for the proposed rezone designation and is already in a transitional zoning phase to higher density. Pursuant to KCCWPP 3.4 Planned Unit Developments shall foster the efficient expansion and management of infrastructure and utilities to demonstrate compatibility with resource land uses. This project has will be expanding the Palomino Water System to serve this proposal along with the efficient use of existing county roads (Faust, Dry Creek, and Old Hwy 10) as safe ingress and egress to the project. The additional merit and value is in the form of a Private Group A water system and the possibility of either using individual or community septic systems. This accomplished a few things like bringing in additional tax revenue that would be doled out accordingly to public services, such as fire departments, school districts, medical services, police services etc. As for additional

merit and value, this proposed Planned Unit Development would be setting aside open space land that would be dedicated to trails, parks, recreational facilities, continued agricultural practices and the preservation and enhancement of natural features such as Reecer and Currier Creeks. This rezone from Agricultural-5 to a Planned Unit Development meets the goals of the Kittitas County County-Wide Planning Policies, the Kittitas County Comprehensive Plan, and the Growth Management Act by limiting sprawl this alone provides merit and value to Kittitas County.

APPLICATION QUESTION 11 B

The proposed amendment bears a substantial relation to the public health, safety or welfare.

The proposed amendment must bear a substantial relation to only one of the following: public health, safety or welfare and this proposal benefits county residents in all three categories.

Zoning and Land Use: The County's comprehensive plan and zoning standards were established to protect the public's health, safety and welfare. The Kittitas County Comprehensive Plan further states in chapters 2 and 8, of said plan, the importance of Rural lands to the County. The Project includes about 246.52 acres in the Agricultural-5 zone within the Rural Residential Land Use designation. The Kittitas County Comprehensive Plan specifically states on page 8-9 the following: "Zone classifications shown in the Table below outline the zones designed to achieve the goals and policies outlined in the designations." The Planned Unit Development zone is a zone that has been identified by Kittitas County as an appropriate use within designated Rural Residential Lands. See Table 8.2.4-1. The County's Comprehensive Plan and Zoning has been found to be in compliance with the Growth Management Act. By providing new Rural Residential development, as allowed under the Planned Unit Development code, achieves the goals and policies within these designations therefor this proposed amendment bears a substantial relation to the public health, safety or welfare; and

Population Growth: Kittitas County Population Growth: The Kittitas County Conference of Governments (KCCOG) has adopted the Washington State Office of Financial Management's (OFM) high population projection for the county. This Project provides housing that will add to the greater mix of residential housing types that will assist in meeting the carrying capacity that the county is required to provide for in the Kittitas County Comprehensive Plan, which is estimated to be 6,460 dwelling units needed by 2025. The creation of these residential housing units are to the benefit of the public health, safety and welfare of the county. By providing this additional housing the Project and this amendment bears a substantial relation to the public health, safety and/or welfare; and

Public Health: Kittitas County has had the availability of new domestic water supplies greatly reduced as the Department Of Ecology has determined that the water in the upper Yakima River basin has been over allocated. In addition, the Department of Ecology has found that there is a connection between surface and ground water in the Upper Yakima River Basin and has determined that there will be no new water rights (surface or ground) issued for any use unless mitigated by an existing senior water right. The Applicant owns a senior water right on Reecer Creek and has formed a private water bank. The water rights from this bank will be used to mitigate water used for the Project. The Project will provide domestic water to the Project through the use of an existing Washington State Department of Health Group A Water System called Palomino Fields Water System. By developing this property as a PUD and by providing private senior water rights and a Group A water system this amendment bears a substantial relation to the public health; and

Welfare: The Merriam-Webster dictionary defines “welfare” as “the state of doing well especially in respect to good fortune, happiness, well-being, or prosperity”. The Project is designed to provide new residential and recreational activities, which may include but not be limited to, trail(s), park(s), play ground(s), pool(s), basket ball court(s) tennis court(s), horse riding areas within areas designated as open space. Furthermore by designating certain areas as open space may also allow for the continue agricultural uses to continue while providing the opportunity to preserve critical areas associated with the two creeks that run through the project. By providing these new recreational opportunities along with preservation of critical areas and the allowances of the continued agricultural practices within this Project bears a substantial relation to welfare; and

Safety: The Merriam-Webster dictionary defines “safety” as “the condition of being safe from undergoing or causing hurt, injury, or loss”. The recreation facilities, which may include but not be limited to, trail(s), park(s), play ground(s), pool(s), basket ball court(s) tennis court(s), horse riding areas within the project may be developed so that they meet the safety regulations of Kittitas County and the State of Washington regulations where provided. With the possibility of providing a pool where individuals may learn water safety, and provide a safe place for water sports the project may provides additional safe opportunities for recreation in Kittitas County. County roads; with one county road transecting through the project surround to this project. The project will be able provide multiple access points to these existing county roads therefore providing safe transportation throughout the project. By providing these new and additional recreation opportunities and safe transportation/access in a safe environment the Project and this amendment bears a substantial relation to safety.

APPLICATION QUESTION 11 C.

The proposed amendment has merit and value for Kittitas County or a sub-area of the county.

Pursuant to the Kittitas County County-Wide Planning Policies (KCCWPP) Section 3 only residential Planned Unit Developments are allowed outside of urban growth areas. This proposed project is a 49-lot residential planned unit development therefore meeting KCCWPP 3.5. This planned unit development rezone is proposed on lands that contain a rural residential land use designation. Within the rural, residential land use designation planned unit development zones are allowed. Furthermore under Table 2.1, which show the corresponding zoning classification within the rural residential land use designation, reflects that there is zero acres identified as a planned unit development zone. This alone provides merit and value by implementing the comprehensive plan to its fullest and designate certain lands as Planned Unit Development zones. Secondly, the rural residential land designation encompasses lands that are adjacent or near identified UGA's or LAMIRDS. These lands generally have a lower population density than urban areas but higher than most rural areas. This is true with this project as this property is designation as rural residential land and is near the Ellensburg UGA.. The location of lands within this proposed PUD are already adjacent to higher density property illustrating that the subject property is suitable for the proposed rezone designation and is already in a transitional zoning phase to higher density. Pursuant to KCCWPP 3.4 Planned Unit Developments shall foster the efficient expansion and management of infrastructure and utilities to demonstrate compatibility with resource land uses. This project has will be expanding the approved and operating Palomino Water System to serve this proposal along with the efficient use of existing county roads (Faust, Dry Creek, and Old Hwy 10) as safe ingress and egress to the project. The additional merit and value is in the form of a Private Group A water system and the possibility of either using individual or community septic systems. This accomplished things like bringing in additional tax revenue that would be doled out accordingly to public services, such as fire departments, school districts, medical services, police services etc. As for additional merit and value, this proposed Planned Unit Development would be setting aside open space land that would could dedicated to trails, parks, recreational facilities, continued agricultural practices and the preservation and enhancement of natural features such as Reecer and Currier Creeks. This rezone from Agricultural-5 to a Planned Unit Development meets the goals of the Kittitas County County-Wide Planning Policies, the Kittitas County Comprehensive Plan, and the Growth Management Act by limiting sprawl this alone provides merit and value to Kittitas County.

APPLICATION QUESTION 11 D

The proposed amendment is appropriate because one of the following (i) because of changed circumstances (ii) because of a need for additional property in the proposed zone (iii) because the proposed zone is appropriate for reasonable development of the subject property. As stated above the amendment for the Project needs to meet only one of these criteria. As show below the amendment for the Project meets each of the above stated criteria.

Because of Changed Circumstances: There has been a minimum of two changes in circumstances shown as follows:

This property, that the Project is located upon, was recently re-designated as Rural Residential lands with a zone change to Ag-5. This land use & rezone change took place through the actions of the Kittitas County Board of County Commissioners by their recent adoption of the Kittitas County Comprehensive Plan. In addition to the adoptions of the Kittitas County Comprehensive Pan and the rezoning of the property, these actions have also been approved by the Growth Hearings Board. These changes alone meet the required criteria as stated above as these actions provide new and different allowed uses for the Project property.

Kittitas County has continue to work with the Department of Ecology in order to address water and how it relates to land use. Eventually Kittitas County was in a water moratorium until the county completed its review and made additional changes to the Kittitas County Title 13. Now that the county, in working with the WA DOE, has created red, yellow and green zone along with a over the counter water program for mitigation purposes there have been drastic changes on how new subdivisions can proceed. As of result of this major change the Applicant acquired senior water rights in the Reecer Creek basin and proceeded down the new process of water mitigation pursuant to the WA Dept. of Ecology. With that said, these senior water right has been placed in trust for the benefit of in stream flow. The applicant has since created a private water bank that will serve the Project with year around domestic water and transferred water to the Palomino Water System and will continue to do so in order to server the Applicant's domestic water needs. This change alone meets the required criteria as stated above.

Because of a need for additional property in the proposed zone;

There is estimated to be zero land zoned Planned Unit Development under the new Rural Residential Land Use Designation (See table 8.2.4-1). The Planned Unit Development zone as requested by the Applicant for the Project will provide addition property in this zone where it allows for the creation of large parcels of land that will be designated as Open Space, where additional recreational activities may take place, critical area preservation and enhancement may occur, with agricultural practices continuing to take place. This alone shows that there is a need for additional property in the proposed zone and this Project meets this need.

Because the proposed zone is appropriate for reasonable development of the subject property because;

The proposed Planned Unit Development Zone is appropriate for reasonable development for the property as it allows the Project to create large parcels of land that will be designated as Open Space, where additional recreational activities may take place, critical area preservation and enhancement may occur, with agricultural practices continuing to take place., and the protection of Reecer Creek and Currier Creek shorelines that are located within boundaries of the project. This development plan for the Project meets the required criteria as stated above.

The Kittitas County Comprehensive Plan provides support for the development of the Project through the use of the Planned Unit Development zone as described under the Rural Residential Land Use Designation. The Kittitas County Comprehensive Plan specifically states on page 8-9 the following: “Zone classifications shown in the Table below outline the zones designed to achieve the goals and policies outlined in the designations.” The Planned Unit Development zone is a zone that has been identified by Kittitas County as an appropriate use within designated Rural Residential Lands... shows that the proposed amendment is compatible with the comprehensive plan thereby supports the proposed amendment. The support of the Kittitas County Comprehensive Plan for the proposed amendment meets the required criteria as stated above.

Because the proposed zone is appropriate for reasonable development of the subject property because;

The property has been identified by the county as Rural Residential Lands. These types of lands are to be adjacent or near identified UGA's or LAMIRDS. These lands generally have a lower population density than urban areas but higher than most rural areas. This is true with this project as this property is designated as rural residential land and is near the Ellensburg UGA. The location of lands within this proposed PUD are already adjacent to higher density property illustrating that the subject property is suitable for the proposed rezone designation and is already in a transitional zoning phase to higher density. This Planned Unit Developments shall foster the efficient expansion and management of infrastructure and utilities to demonstrate compatibility with resource land uses. This project has will be expanding the Palomino Water System to serve this proposal along with the efficient use of existing county roads (Faust, Dry Creek, and Old Hwy 10) as safe ingress and egress to the project. The Planned Unit Development zone is the best tool for the development for this property as it allows the development to identify and protect larger tracks of land within the Project as Recreation Open Space as well protecting shorelines through the creation of protective open space. The PUD zone allows for the development of recreation uses over larger parcels such as hiking trails, horse riding facilities with the ability to provide access to the John Wayne Trail. These types of uses proposed by the Project through the use of the PUD zone shows that the proposed PUD zone is appropriate for reasonable development of the subject property

As stated above this proposed amendment is appropriate because of changed circumstances and because of a need for additional property in the proposed zone and because the proposed zone is appropriate for reasonable development of the subject property.

APPLICATION QUESTION 11 E

The subject property is suitable for development in general conformance with zoning standards for the proposed zone.

The following shows the Planned Unit Zoning Code in italics while the Bold shows how the subject property is suitable for development in general conformance with zoning standards for the proposed zone as is shown below:

17.36.010 Purpose and intent.

The purpose and intent of this chapter is to provide for departures from strict compliance with the zoning standards outlined in other sections of this Title for projects that can demonstrate that such departures will protect the public interest and accomplish one or more of the following objectives:

17.36.010 a. To encourage more innovative design than is generally possible under conventional zoning and subdivision regulations;

Under the current zoning of the Property, which is Ag- 5 the minimum parcel size is five acres leaving no area for large open spaces and large recreation areas. If development of the Project property would proceed under the Rural Recreation and Rural 5 zoning there would be forty-nine 5-acre parcels created with no identification of large open spaces for recreation use or for protection of Reecer or Currier Creek shorelines. By developing the property under the Planned Unit Development zone large Open Space will be established, with associated creeks being protected, while at the same time recreation uses may be improved and developed along with the continued agricultural practices.

17.36.010 b. To encourage more economical and efficient use of land, streets, and public services;

By developing the property under the Planned Unit Development zone the residential development will proceed with more efficient land use. As can be seen by the site plan, attached hereto, the roads, utilities, and services in the residential development are clustered in an area dedicated to residential use. This allows for the infrastructure to be developed much more efficiently. In addition long term maintenance of the project's infrastructure will be easier to maintain as (i) there will be less roads to be plowed than there would be if the project was developed under the current zoning; (ii) there would be less area and distance where there would be underground utilities thereby reducing the chances for future maintenance.

17.36.010 c. To preserve and create usable open space and other amenities superior to conventional developments;

By developing the property under the Planned Unit Development zone Open Space Areas will be established. Reecer and Currier Creek Shorelines will be protected. Recreation facilities may be improved or developed. If the property is developed under the current zoning the land would be divide into 5 acre parcels and sold thereby eliminating the possibility for the identification and long term protection of open spaces and the creation of other possible recreational amenities .

17.36.010 d.To preserve important natural features of the land, including topography, natural vegetation, and views;

As shown on the site plan, attached hereto, it is shown that the natural features, the wetlands, and the shorelines including view points are being protected through the establishment of open spaces and protection of the wet lands and shore lines. If the property is developed under the current zoning the land would be divide into 5 acre parcels and sold thereby eliminating the possibility for the identification, preservation of important natural features of the land, and long term protection these features.

17.36.010 e.To encourage development of a variety of housing types and densities;

This Planned Unit Development will provide additional and needed housing for the 2025 projected needs that has been adopted by the Kittitas County Comprehensive Plan and County Wide Planning Policies of 6,046 additional units. The county has established a limited number of Rural Residential areas that area near urban growth areas. These areas have been adopted with the intent of future and higher types of densities than the farther out rural areas, therefor developing this property through the Planned United Development zone and creating additional homes that meets Kittitas County's projected need and the requirement of the Kittitas County Zoning Code.

17.36.010 f.To encourage energy conservation, including the use of passive solar energy in project design and development to the extent possible;

The development using the Planned Unit Development zone will meet or exceed all State of Washington energy codes thereby meeting the requirements of this section of the Kittitas County Zoning Code.

17.36.010 g.To encourage development of areas or site characterized by special features of geography, topography, size, shape; and/or

There are two sites (Reecer and Currier Creeks) with in the property that provide special interest. As is shown on the attached site plan both of these sites are placed in Open Space and will be protected through restrictions placed on the property. These creeks will predominately remain in the open space lands. The Applicant will

continue to the own these lands. The applicant will also continue the agricultural practices that occur on these open space lands. Therefor developing this property through the Planned United Development zone and creating Open Space that preserves these creeks and associated floodplains for not just all of the residents of the Project but for Kittitas County. The aforementioned protections meet the requirements of this section of the Kittitas County Zoning Code.

17.36.010 h. To permit flexibility of design that will create desirable public and private open space,; to vary the type, design and layout of buildings,; and to utilize the potentials of individual sites and alternative energy services to the extent possible; (Ord. 2013-001, 2013; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

As is shown by the site plan attached hereto the Planned Unit Development has allowed flexibility in the design of the Project and will allow the development of open space and variety in the design of the Project. In this way the design of the Project meets this portion of the Kittitas County Zoning Code.

17.36.015 Applicability.

17.36.015 1. Inside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for any property over two (2) acres in size.

The Project is outside of the any UGA and rural LAMIRD.

*17.36.015 2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The provisions of this chapter can be used for properties over twenty (20) acres in size, except that PUDs are prohibited on Resource Lands and Rural Lands in the Rural Working Land Use Designation.
(Ord. 2013-001, 2013)*

This Project is outside of the Urban Growth Area and Rural LAMIRD and within the Rural Residential Land Use Designation, where PUDs are allowed. The Project is also over 20 acres in size therefore meeting the requirements of # 2 above.

17.36.020 Allowed uses.

17.36.020 1. Inside the Urban Growth Area, uses may include
All residential uses including multifamily structures
Manufactured home parks;
Hotels, motels, condominiums;
Fractionally owned units;
Retail businesses;
Commercial-recreation businesses, parks and playgrounds;
Restaurants, cafes, taverns, cocktail bars;

Electric vehicle infrastructure. pursuant to See KCC Chapter 17.66; and;
The following uses where they are only serving a residential PUD and where all other applicable standards are met:
Community buildings;
Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;
Outdoor recreation facilities including swimming pools, sports courts or similar uses; and
Recreation vehicle storage areas.

Project is not within the Urban Growth Area

17.36.020 2. Outside the Urban Growth Area, uses may include:

The following residential uses;

Accessory dwelling unit;

Accessory living quarters;

Dwelling, single-family;

Dwelling, two-family;

Dwelling, multiple-family;

Special care dwelling;

Parks and playgrounds; and

The following uses where they are only serving a residential PUD and where all other applicable standards are met:

Community buildings;

Indoor recreation facilities including athletic clubs, fitness centers, sports courts, swimming pools, and other similar uses;

Outdoor recreation facilities including swimming pools, sports courts or similar uses;

Electrical vehicle infrastructure, pursuant to KCC Chapter 17.66; and

Recreation vehicle storage areas. (Ord. 2013-001, 2013; Ord. 2011-013 , 2011; Ord. 2007-22, 2007; Ord. 90-6 (part), 1990; Res. 83-10, 1983)

Any of these uses may be included within the project.

17.36.025 Allowed density.

17.36.025 1. Inside the Urban Growth Area (UGA): The county may approve an increase of dwelling unit density for residential PUDs of not more than three (3) times the density permitted in the underlying zone, provided development rights are transferred pursuant to KCC Chapter 17.13 and additional natural and social amenities beyond the required minimums are provided.

The Project is not within the Urban Growth Area.

17.36.025 2. Outside the Urban Growth Area (UGA) and Rural LAMIRDs: The density of the underlying zone shall not be exceeded by a PUD. For Rural LAMIRDs, the density shall be consistent with the character of the existing area as required by RCW 36.70A.070(5)d).

Project is outside the Urban Growth Area and will not exceed the density allowed by the underlying zoning.

APPLICATION QUESTION 11 F.

The proposed amendment will not be materially detrimental to the use of properties in the immediate vicinity of the subject property.

The proposed amendment is consistent with the use of properties in the immediate vicinity, and not materially detrimental to the use of those properties in the immediate vicinity of the subject property, which include the following;

The lands to the east of the Project and east of Currier Creek are zoned residential within the City of Ellensburg Urban Growth Area. Lands to the Northeast were previously zoned as Suburban . This land is being developed out under the previous zoning district of Suburban. The PUD is designed in such a way that Open Space will be located between Reecer and Currier Creeks and these lands to the east.

The lands to the west of the Project is zoned Ag-5, with Faust Road being the western boarder of the Project.

The land to the North of the project is zoned Ag-5 . These lands are similar zoned with potential uses that are similar to that of the project. To increase the buffer area and to decrease the impact on these lands Lot 49 has been designed to be a larger lot therefore creating a larger setback to the adjacent property to the north. Furthermore we have designed a large tract (identified as Open Space Farmlands) of lands that will remain continued farmlands, for continued agricultural practices to occur providing a large parcel as a buffer all along the eastern boundary of the project.

Additional information on adjacent properties to the Project are as follows:

The lands to the south, are currently undeveloped lands with Old Hwy 10 as the southern border of the project. South of Old Hwy 10 is the a few parcels that mainly encompasses Belsaas & Smith Construction company location. It is also critical to point out that a new Solid Waste Transfer Station is up for consideration at this south location. Parcel sizes range from 7.8 acres to 54 acres. Roughly 62 acres are zoned Light Industrial with 103 zoned Commercial Tourist. This project is well to the north of these southern adjacent parcels.

The land to the north, as stated above is zoned Ag-5. Adjacent to the Project's north boundary is a Single-family residence with associated agricultural structures.;

Kittitas County through its Comprehensive Plan process thoroughly examined the lands of Kittitas County and found the lands where the Project is proposed to be developed is best used for rural residential lands therefore establishing that these lands are just outside of an urban growth area but area already at a transitional density that is a higher than the normal rural areas. Through this planning, the adoption of the Kittitas County Comprehensive Plan, the zoning, and the rezoning of these lands Kittitas County determined the setbacks for these zones. It is proposed that the development (49 lots) will localized to a identified area therefore providing a larger tracts of land that will be used as a buffer to existing development to the east and more importantly providing the

opportunity to continue farming on large tracts of land and protect critical areas such as Reecer and Currier Creek. This aspect alone increases minimum setbacks over that of the Projects underlying zoning.

As the Project will be providing larges areas to continue farming on large tracts of land and protect critical areas such as Reecer and Currier Creeks by consolidating development to a single area is meeting the goals of the Kittitas County Comprehensive Plan therefore the Project is not materially detrimental to the use of properties in the immediate vicinity of the subject property.

APPLICATION QUESTION 11 G.

The proposed changes in use of the subject property shall not adversely impact irrigation water deliveries to other properties.

There are irrigation diversion structures and delivery facilities, located within the Project's boundary that is located on Reecer Creek. It is the intent of the Applicant to not interfere in any way with the continued use, operation, or maintenance of the irrigation facilities other than what is pertinent to the Applicant exercising its senior water rights. Currently the irrigation facilities on Reecer Creek divert the water underground to risers at which time flood irrigate the farmland. The Applicant will develop an irrigation water delivery system that will be protected by the development to ensure that said distribution system is not disrupted, as the development proceeds with the platting of subdivisions. There may be one or more locations where the distribution system may have to be crossed by either roads or trails. Any said crossings will be designed to ensure that there is no disruption to the irrigation system and that any construction on and or over said delivery system will be done outside of the annual irrigation delivery schedule to ensure that there is no interruption to irrigation delivery to adjoining properties served by these facilities.