Teresa Wilhelmsen

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Date: 2/28/2012 3:16 PM

Dear Kent Jones, John Mann, Boyd Clayton, and Teresa Wilhemson,

The State and Salt Lake County are pro-development in the canyons. In fact, there are already booming ski resorts in the watershed regions of Big and Little Cottonwood canyons. They want the ski industry to succeed, they want public canyon transportation to bring more people into the canyons and they want the next Winter Olympics in Big and Little Cottonwood canyons.

Jeff Niermyer is not the State Engineer. And he doesn't run our state. SLC's fringe canyon policies where SLC claims people can't even swim or wade in the water (where beavers and moose defecate) because it is precious "watershed" water are not widely accepted by the public nor supported by science.

The County requested empirical data to support the SLC Public Utilities watershed position that development in the canyons harms water quality. SLC has provided no data to support their story.

Obviously, if there were data it would have been provided. Have you ever seen it provided in the past 50 years?

In fact, the canyons with ski resorts have the highest water quality. Moreover, Snowbird's ski expansion improved water quality. How will my cabin (surrounded by numerous "already in existence" neighboring cabins) hurt our watershed? All land is watershed for someone else. And people in SLC aren't dying because Snowbird has 10 lodges or because Alta has 15 lodges and over 100 homes, all of which are all larger than my one cabin).

When the State Engineer approved Salt Lake City's many large change applications to provide water to Snowbird's Service Area #3 developments or to Alta's ski lodges, expanded snow-making systems and the development of other private homesites, did he contemplate the absurd position he'd find himself in today carefully weighing the political effect of Tolton's future Alta cabin on the teetering dynamics of watershed theology?

Recently, the County built a 9,000 square foot fire station in Big Cottonwood Canyon with a massive asphalt parking lot. To my knowledge, there has been no change in the water quality after this building went in. Clearly, my cabin is of less potential impact than a fire station which was allowed to be built using a junior water. I, on the other hand, have a senior water right in the canyon. And my cabin's impact on the watershed can't be more than Pat Shea's cabin or Mayor Bill Leavitt's 3 cabins, or even all of the cabins in the Cecret Lake, Albion Basin or Albion Alps subdivisions.

When will the State Engineer's Office stand up to SLC water politics and stop harming the state's economy, private property rights, and sound water resource policies?

When will the Division of Water Rights get in step with the elected Republican officials who appoint and confirm the State Engineer? Perhaps we need a bill requiring that the State Engineer be either appointed yearly or at least confirmed yearly by a legislative confidence vote.

Gentlemen, let's stop horsing around and get my change application approved. As taxpayers, we all have a right to speedy consideration and prompt administrative processing of water right applications. I have additional standing given the fact that the Utah Supreme Court has determined that I own this water right. You approved and processed 53,000 acre-feet for nuclear power plant in less time than my application for 2 water meters. That is astounding and looks patently political.

I appreciate your good work and our cordial working relationship. I am simply urging you to try harder. Please let me know when I can expect a final and long anticipated ruling on my pending change application for water right 57-7800.

Regards,

Kevin Tolton, M.D.

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