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August 10, 2011

Mr. Jeff Niermeyer
Director of Salt Lake City Public Utilities
1530 South West Temple
Salt Lake City, UT 84115

Dear Mr. Niermeyer

I represent John Despain, one of the South Despain Water Users. Mr. Despain resides at 3727 E. Little Cottonwood Lane, Sandy, Utah 84092. Mr. Despain has water rights under an Agreement dated August 8, 1934 (the "Agreement") between Salt Lake City and certain parties who had primary water rights in Little Cottonwood Creek (the "South Despain Water Users"). Mr. Despain is a successor in interest to one of the South Despain Water Users.

Pursuant to the Agreement, Salt Lake City agreed to construct and maintain a six inch pipe line for the conveyance of waters from the Murray City penstock pipe to the South Despain Ditch. Salt Lake City also agreed to construct a (two inch) line running westerly from the six inch line to convenient points on the properties of the South Despain Water Users.

Salt Lake City has failed to properly maintain the six inch line by failing to open the valve at the end of the line on April 1 of each year, thus causing sediment to collect in all of the lines, including the two inch line, blocking water flow to Mr. Despain's residence. Mr. Despain had to obtain the services of a plumber to blow out and clean the lines, at a cost of \$2,457.50. A copy of the invoice and statement are enclosed herewith. Subsequently, Salt Lake City opened the valve to the South Despain ditch, and since then Mr. Despain has not experienced any further problems with the water flow.

Furthermore, the Agreement provided that Salt Lake City would install a meter in the pipe system between the Murray City penstock pipe and the North Despain ditch. Mr. Despain believes that as long as the meter was maintained, sediment was filtered out in a screen that was part of the meter. It now appears that the meter is no longer in place. Mr. Despain has resided in his home for 39 years, and he has not needed professional help to unblock his water line until the last year. We believe that if Salt Lake City had maintained a meter as required by the Agreement, the blockages would likely have been prevented.

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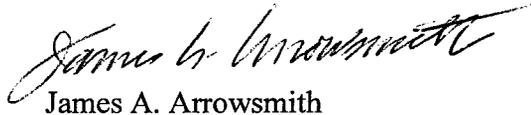
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We hereby demand that Salt Lake City reimburse Mr. Despain for the cost he incurred in blowing out and cleaning the water lines due to Salt Lake City's failure to properly maintain the six inch line. We also demand that Salt Lake City install a meter (with a screen) as required by the Agreement.

Sincerely yours,



James A. Arrowsmith

Enclosures (2)

cc: Jared Manning ✓
John Despain

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