



Fwd: Protest EID Permanent Change Applications - Utah State Engineer Kent L. Jones

1 message

Kent Jones <kentljones@utah.gov>
To: waterrights DNR <waterrights@utah.gov>

Fri, Sep 14, 2018 at 9:57 AM

Kent L. Jones, P.E.

State Engineer
Department of Natural Resources
Division of Water Rights
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SEP 14 2018
WATER RIGHTS
SALT LAKE

----- Forwarded message -----

From: **ECHO Association** <m.tracy@echo-association.com>
Date: Fri, Sep 14, 2018 at 8:49 AM
Subject: Protest EID Permanent Change Applications - Utah State Engineer Kent L. Jones
To: Scot Boyd <scot.boyd@chrisjen.com>, Steve Kelson <Steve.Kelson@chrisjen.com>, Bryson Brown <bryson.brown@chrisjen.com>
Cc: Brian Maffly <bmaffly@sltrib.com>, <hannahjoycee00@gmail.com>, <dharrie@sltrib.com>, <l davidson@sltrib.com>, Katie McKellar <kmckellar@deseretnews.com>, <lpacker@xmission.com>, <lindsaywhitehurst@gmail.com>, <dHUDSON@good4utah.com>, <newsdesk@kutv2.com>, <news@fox13now.com>, <elpenrod@gmail.com>, <ddewey@ksl.com>, <uasd@uasd.org>, <briandavis@utah.gov>, <uag@utah.gov>, <districtattorney@slco.org>, Brian King <brian@briansking.com>, <wendy@utahopenlands.org>, <carl@saveourcanyons.org>, <kentljones@utah.gov>, <jdougall@utah.gov>, <amatheson@utah.gov>, <slcotreasurer@slco.org>, <newsmedia@ldschurch.org>, <mike@ecid.org>, <brent@ecid.org>, <dave@ecid.org>, <eric@ecid.org>, <dbarnett@barnettwater.com>, <craign@aquaeng.com>, <larryh@aquaenviron.com>, <joesmolka@ecmetro.org>, <jenhawkes@comcast.net>, <tab5k@yahoo.com>, <dbrems@gsgbsarchitects.com>, <agarybowen@msn.com>, <robertpaine@ecmetro.org>

Dear Emigration Canyon Home Owner,

As you are aware, on September 10 — two days after Brian Maffly of the Salt Lake Tribune reported the *complete depletion* of the Emigration Canyon Stream near the Utah State capital city — Emigration Improvement District (“**EID**” aka ECID) trustees **Michael Scott Hughes**, **Brent Tippets** and **David Bradford** submitted permanent change applications “a44045” (57-7796) and “a44046” (57-10711) asking the Utah State Engineer to approve the construction of **568 additional homes** in Emigration Canyon as well as **forty-three (43)** points-of-diversion in addition to the four large-diameter commercial wells currently operated by EID (see https://echo-association.com/?page_id=2337).

Two day later, on September 12, after “further discussions with [the staff of the Utah Division of Water Rights] ... and for purpose of clarity” EID through Barnett Intermountain Water Consulting (“**BIWC**”) submitted substantially altered permanent change applications “to replace those filed on September 10th” (see https://echo-association.com/?page_id=2418).

Although EID continues to purport “to hold one of the most senior rights in the Canyon” (see <https://www.ecid.org/price-list>), EID’s application identifies all four wells currently operated by EID now filed with a priority date of **September**

SCANNED WR

12, 2018 if approved by the Utah Division of Water Rights:


The ECHO Association finds these actions before the Utah State Division of Water Rights unorthodox and suspicious as to motive and intent and will file protest against both applications with the State Engineer on Monday, September 17.

If you have reason to believe that your surface or underground water share will be impaired by this **permanent change application**, we encourage you to also file written protest with **Kent L. Jones** along with a \$15 administrative fee for each water share identified above (see https://echo-association.com/?page_id=225).

Please feel free to contact me directly with any questions concerns or comments.

Kind Regards,

Mark Christopher Tracy
- *qui tam* Relator/ECHO President
801-699-9825

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498K

SCANNED WR

APPLICATION FOR PERMANENT CHANGE OF WATER

STATE OF UTAH

Rec. by AM503337 WE

Fee Am \$1,000.00

Receipt # 18-04103

For the purpose of obtaining permission to make a permanent change of water in the State of Utah, application is hereby made to the State Engineer, based upon the following showing of facts, submitted in accordance with the requirements of Section 73-3-3 Utah Code Annotated 1953, as amended.

CHANGE APPLICATION NUMBER: α44045
(c15415WKNIGHT)

WATER RIGHT NUMBER: 57-7796

This Change Application proposes to change the POINT(S) OF DIVERSION.

1. OWNERSHIP INFORMATION.

A. NAME: Emigration Improvement District
ADDRESS: P. O. Box 58945
Salt Lake City UT 84158

B. PRIORITY OF CHANGE: 9-12-18

FILING DATE: 9-12-18

C. EVIDENCED BY: 57-7796 (ADEC)
a17521(57-7796)

* DESCRIPTION OF CURRENT WATER RIGHT: *

2. SOURCE INFORMATION.

A. QUANTITY OF WATER: 28.0 cfs OR 600.0 acre-feet

B. SOURCE: Emigration Cr. Springs & Underground Water Wells COUNTY: Salt Lake

C. POINT(S) OF DIVERSION.

POINTS OF DIVERSION -- SURFACE:

- (1) S 3,200 feet E 1,300 feet from NW corner, Section 14, T 1N, R 2E, SLBM
SOURCE: Emigration Cr. springs, groundwater
- (2) S 2,900 feet E 2,200 feet from NW corner, Section 14, T 1N, R 2E, SLBM
SOURCE: Emigration Cr., springs, groundwater
- (3) S 1,500 feet W 1,800 feet from E $\frac{1}{4}$ corner, Section 15, T 1N, R 2E, SLBM
SOURCE: Emigration Cr., springs, groundwater
- (4) N 500 feet E 1,200 feet from SW corner, Section 16, T 1N, R 2E, SLBM
SOURCE: Emigration Cr., springs, groundwater
- (5) N 4,950 feet W 2,150 feet from SE corner, Section 16, T 1N, R 2E, SLBM
SOURCE: Thomas Spring (Location corrected in hereafter)
- (6) N 4,700 feet W 1,050 feet from SE corner, Section 16, T 1N, R 2E, SLBM
SOURCE: Secret Spring (Location corrected in hereafter)

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SEP 12 2018

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Permanent Change