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**VIA FIRST CLASS AND ELECTRONIC MAIL**

The Honorable Mitt Romney  
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- and -

The Honorable Mike Lee  
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United States Senate  
Washington, D.C. 20510

US Congressman Candidate Burgess Owens  
c/o BURGESS 4 UTAH HQ  
7676 Holden St  
Midvale, UT 84047  
Tel: 385-291-5509

September 19, 2020

**Re: Use of Water Rights Deeded to the Mount Olivet Cemetery Association by the 60th Congress of the United States of America for Luxurious Private-Urban Developments**

Dear United States Congressional Leaders and Candidate for the State of Utah,

I am a federal whistle-blower in pending False Claims Act litigation in what has alleged to be the longest and most lucrative water grabs in the history of the State of Utah (*see United State of American ex rel. Mark Christopher Tracy v. Emigration Improvement District et al.*, (Utah Dist.), case No. 2:14-cv-701 JNP-JCB (pending)).

During the past six (6) years, I have collected and reviewed thousands of pages of documents and conducted an extensive review of water rights in Emigration Canyon, Utah.

In the course of my investigation, I discovered that the Mount Olivet Cemetery Association ("**Mt. Olivet**"), the only active military cemetery created by an Act of Congress and signed into law by President Ulysses S. Grant in 1874, had stripped water rights from hollowed cemetery grounds and then for unknown reasons petitioned the Utah State Engineer to allow water extraction and use for the development of luxurious private-urban developments constructed by the Sorenson Development Inc., The Boyer Company LC, and City Development Inc. in Emigration Canyon.

The use of water rights 57-8855 and 57-8865 for private development and profit was contrary to both the deed of cemetery property (and water rights appurtenant thereto) from the United States to Mt. Olivet in 1909 as well as the Utah State Engineer's own hydrological studies and findings warning against water extraction in this area (see [https://echo-association.com/?page\\_id=4275](https://echo-association.com/?page_id=4275) and [https://echo-association.com/?page\\_id=7526](https://echo-association.com/?page_id=7526) and [https://echo-association.com/?page\\_id=220](https://echo-association.com/?page_id=220); see also [https://echo-association.com/?page\\_id=2204](https://echo-association.com/?page_id=2204)).

The aforementioned private land-developers later transferred water rights 57-8855 and 57-8865 to Salt Lake City and Emigration Improvement District (“*EID*” aka Emigration Canyon Improvement District aka ECID) in order to allow for both servicing and the massive expansion of the Emigration Place and Emigration Oaks PUDs.

To date, both Salt Lake City and EID have refused to return these water rights to Mt. Olivet and the Utah State Engineer has allowed both public entities to maintain claims “for future development” of high-end private estates despite conclusive and dramatic evidence of groundwater mining of the Canyon's aquifers and documented dewatering of private wells and the federally-protected Canyon stream (see [https://echo-association.com/?page\\_id=3310](https://echo-association.com/?page_id=3310)).

As a veteran of United States military service, it is difficult to conceal my aversion of both the private-land developers who stripped water right from a military cemetery for private profit, as well as the legal representative for Mt. Olivet, Rosemary Beless, Esq. who herself notarized a deed for water use in the same area that the State Engineer had determined would prove destructive to both the stream and private wells of long-time Canyon residents (see [https://echo-association.com/?page\\_id=7526](https://echo-association.com/?page_id=7526)).

I trust you will make appropriate efforts to ensure that water rights 57-8855 and 57-8865 are properly returned to Mt. Olivet or the United States of America.

kindest and Most Respectful Regards,

*/s/ Mark Christopher Tracy*

Mark Christopher Tracy  
Emigration Canyon Home Owners Association

cc: The American Legion Washington Office  
ATTN: Veterans Affairs and Rehabilitation  
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