

Robert Jordan  
749 N. Emigration Canyon Rd  
Salt Lake City, Utah 84108

Kent L. Jones, State Engineer  
Utah Division of Water Rights  
1594 W. North Temple, Suite 220  
Salt Lake City, UT 84114-6300

PROTEST FEE PAID

18-04772  
\$3000

October 12, 2018

**Ref: Protest of Permanent Change Application "a44045" (57-7796) and "a44046" (57-10711)  
by Emigration Improvement District**

Dear Mr. Jones,

I purchased, and have lived in my home since 2000. My source of water is a private well (57-7400, a-7567, priority date February 25, 1966), located in very close proximity to Emigration Creek.

I never experienced problems of quantity or quality of water until the Emigration Improvement District (EID) began pumping water on or about 2003. Around that time I experienced a significant impairment in the quality of water, which caused me to have to replace filters at much more frequent intervals due to increased sediment in the water coming from my well.

Beginning about 2015, we also began to experience a loss in quantity of water available, reflecting a decreased recharge rate from our well. Air will often enter the system, especially over the past two years. Our household can no longer conduct minimal water related tasks, such as bathing and running the washing machine, without waiting a significantly longer time, in the hope that our water supply will be sufficiently available for the task. We have experienced an impairment in the flow rate for which our well is permitted to supply our home, and for which we have been able to use until recently. This is not seasonal, as the impairment has occurred in every month of the year.

I believe that both of these issues, quality impairment and quantity impairment, have been caused by the extraction of water by the operation of the Brigham Fork, Upper Freeze Creek, Freeze Creek Well Nr. 1 (aka Boyer Well #1) and Well #2 (aka Boyer Well #2) by Emigration Improvement District (EID).

Not only is there current, and ongoing, impairment of my private well, but EID is requesting a significant increase in the volume of water to serve new development, which I believe will further impair the water supply that we are all drawing from in the canyon.

My property also abuts Emigration Creek, which, when running, provides value to my property. The creek has been dry at my location in the upper canyon for much of the summer, something that has never before occurred. I believe that this is also being caused by the ongoing water extraction of EID, and will further be impaired if their application is approved.

In the 18 years I have lived here, including years of significant drought, I have never experienced the impairment of quality or quantity from my private well, or the loss of all water in Emigration Creek, until EID began operating their high volume wells. EID is only allowed to provide water service to 188 homes under "a12710b" (57-8865), but currently services at least 286 connections, and is requesting to supply hundreds more.

I don't believe that the previously granted and prioritized water rights in the canyon can support the amount of development that has already been served by EID's temporary permits, nor can support expanded development as requested in their pending applications. Many private wells, including mine, have suffered quantity and quality impairment since EID's operation and expansion, even though we have a priority that pre-dates their temporary permits, and now their application for permanent permits.

Please deny EID's Permanent Change Application "a44045" (57-7796) and "a44046" (57-10711) due to their history of taking more water than they are permitted, causing impairment to preexisting water rights (private wells and surface diversion), as well as their anticipated continued impairment to preexisting private rights (private wells and surface diversion) with their requested expansion.

Please see the enclosed two checks for \$15 each to protest the two permanent change applications submitted by EID.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Jordan", written in a cursive style.

Robert Jordan