

Willy Stokman
October 16, 2018
86 S Skycrest lane
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
18-04810
\$15.00

Dear Mr. Jones,

This letter is to protest permanent change application a44045 filed by Emigration Improvement District (EID) on September 12, 2018. Approval of the application will allow the EID to develop 5 additional well sites, despite reported negative effects on existing wells along Emigration Creek and decreased stream flow in Emigration Canyon due - in part - to EID wells already operational.

Under Utah law EID trustees are responsible to protect, preserve and perpetuate the limited Emigration Canyon water resource. However, EID trustees do not appear to be interested in meeting their legal responsibilities and in fact are actively undermining the preservation of Emigration Creek stream flow.

In their very own planning document, dated May 13, 1996, EID trustees pledged to establish sound and rational guidelines to ensure quality and quantity of water for Emigration Canyon residents, while considering climate, biological, geological and hydrological factors present within the canyon. The planning document states: "No allocation of water will be made that will lead to inability to sustain minimum stream flows, defined as no less than 115 gallons/min measured at Burr Fork weir locations and 150 gallons/min near Camp Kostopulos."

Even after several rain storms over the last two weeks, there is no stream flow in Emigration Creek near Camp Kostopulos. This summer the creek bed was bone dry for over two months (unlike Red Butte Creek, a much smaller drainage system). Based on their planning document one would expect EID trustees to put measures in place to improve the situation. They could, for example, adopt a much more significant block rate structure and put hard limits on excessive water use in the Emigration Oaks subdivision. Instead, they file a permanent change application asking for an increase in the number of wells that will result in increased water extraction and further depletion of stream flows.

Notes from previous meetings indicate EID trustees feel there is no limit to their ability to extract water and add additional water connections to their system. They base their impact fee on a buildout of 500 additional homes. Considering the depth of EID wells (one of them is well over 1000 feet deep) - much deeper than the relatively shallow wells along Emigration Creek - they may very well be correct. Since the aquifer they

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draw from and the one below Emigration Creek are likely connected, the resulting decrease in ground water levels will force private well owners along Emigration Creek - no matter the priority of their water right - to either drill deeper or connect to EID sources. Either option comes at considerable cost to the owners. To date, 30 homeowners with private wells have reported problems with their wells.

Water requirements for wildlife also need to be considered. This summer we have seen deer, wild turkey and even a moose roam the dry creek bed searching - in vain - for a drop of water. These animals do not have water rights and are unable to drill down to reach water. The character and recreational value of Emigration Canyon will change forever if their habitat is not protected.

Lower groundwater levels also lead to dryer conditions for trees and vegetation, and an overall drier environment more prone to wildfires. It is ironic that EID's efforts to help contain fires by building a huge 1,000,000 gallon water storage tank and numerous fire hydrants all along emigration canyon, may actually contribute to an overall increase risk of wildfires.

I realize we are in a period of drought right now and have been hit hit particularly hard this year. However, current thinking about global warming, climate change and predicted weather patterns suggest this may very well be the beginning of a new normal. We cannot change the weather, we can change water use policies.

Giving EID the opportunity to develop additional well sites and extract even more water is unacceptable under the circumstances. I urge you to request a study from the US Geological Survey regarding the effects of existing EID wells on ground water levels in Emigration Canyon and on Emigration Creek stream flow rates. I think you will find that - contrary to the opinion of EID trustees - there are limits to water extraction. Let's wait for the results of these studies to guide decisions on sustainable water extraction and equitable water distribution and protection for all residents (human and animal alike) in Emigration Canyon.



Willy Stokman

Concerned member of both EID and Spring Glen Water Company

EID's planning document and evidence of other facts provided in this letter can be found on the website of the emigration canyon homeowners association (ECHO): echo-association.com.

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