

\*\*\*\* UPDATE TO PROTEST SUBMITTED APRIL 7, 2018 \*\*\*\*

Margot McCallum  
1167 Pinecrest Canyon Road  
Salt Lake City, UT 84108  
September 11, 2018

PROTEST FEE PAID  
1804249 will  
15<sup>00</sup> for  
57-7796 a44045

Mr. Kent L. Jones, State Engineer  
Utah Division of Water Rights  
2594 W. North Temple, Suite 220  
Salt Lake City, UT 84114

Re: Protest of EID Permanent Change Application a44045 for Water Right 57-7796 and Permanent Change Application a44046 for Water Right 57-10711

Dear Mr. Jones:

When the EID initiated their quest to gobble up the water and water rights in the canyon, working as the agent for the Boyer Company and Emigration Oaks subdivision, my late husband and I became alarmed at what was about to unfold. We attended virtually all of the Board of Trustees meetings starting in 2001. We let our concerns be known vociferously (see minutes of the meetings for those years, and the ensuing joke of an Environmental Assessment). We were pretty much ignored, but given assurances that 1. Participation was voluntary, 2. Only those choosing to participate would pay for the system, and 3. There would be no impact on either our own personal well or the stream flow.

None of those assurances turned out to be true. We were threatened with a "Scarlet Letter" on our property records at the county, intended to scare us for future resale of our home; I am now being billed for a fire hydrant we neither wanted nor needed; and most significantly, my well is experiencing quantity and quality issues.

Our 240 ft. well (water right #57-7847, priority date 4/24/1967) has always had some iron bacterium but it was managed easily with an occasional flushing and the installation of a 5 micron filter. The filter was changed every 5-6 weeks, but beginning in the spring of 2014 this was no longer sufficient. The filter was lasting only two weeks, and flushing took longer. At some expense, I had a second, 20 micron filter canister installed. Where flushing the well used to be a full pressure operation that could last half a day if needed, it will now lose its pressure after just 90 minutes. Quality and quantity have seriously declined. I laugh at myself now for believing Mr. Barnett's assurance that our well was "in a different aquifer" from the wells they were proposing.

Additionally, the creek that flows in my front yard was fouled when the EID contracted installed the pipeline crossing the creek. The reduced water in the creek no longer provides habitat for the trout that used to regularly appear there. \*\* Bedrock, usually under inches of water, is fully exposed.

\*\*It has come to my attention that the EID has requested approval for 43 additional surface and underground points-of-diversion in the canyon. The list includes the names Branch, Liechty, and Ward. As these were my neighbors, I can tell you that all three families have:

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- a. Sold their properties and left the canyon
- b. Joined the EID system
- c. Should have forfeited their water right, under the terms of the EID agreement, and
- d. Were required to abandon their wells and render them unusable, according to the terms set forth in the EID agreement of participation of 2001 or 2003.

Under those conditions, how is a point of diversion possible? Certainly any others listed who joined the system were required to adhere to the requirements identified above. To me, this looks like some kind of shell game being played.

The Salt Lake Tribune article published Saturday, September 9, draws attention to the imminent crisis. It certainly got the attention of the EID Board, as they responded with these applications in under 48 hours!

I respectfully request that your agency act to deny the EID further theft of my water.

Enclosed is a personal check for \$15.00 for the pleasure of exercising my right to protest.

I would appreciate the courtesy of a response to this correspondence.

Thank you for your attention.

Sincerely,

  
Margot McCallum

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