

10 September 2018

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

18-64255
15⁰⁰ for 57-7796

Re: Emigration Improvement District Water Rights 57-7796 and 57-10711

Dear Mr. Jones:

I am submitting this letter, along with a check for \$15.00 for filing fees, in protest to the Emigration Improvement District's continued use of the Brigham Fork and Upper Freeze Creek Wells (57-7796), as well as the recently segregated Boyer #2 Well (57-10711).

Specific to my situation, the Brigham Fork Well is positioned less than one mile away and uphill from my residence (see image below) and I believe extraction from this well in particular has adversely impacted the quality and quantity of water available to my well, as well as Emigration Creek flow on my property. Over the last several years the the water from my well has become increasingly concentrated with calcium carbonate, iron, and particulates. Likewise, flow in the creek is now reduced to a trickle. Though the last few years of drought have almost certainly contributed to this, I have lived at this residence since 1991 and have never observed such an extreme decrease in well water quality and stream flow despite witnessing other periods of low precipitation over that time. Similar reductions in water quality and quantity have been noted by my neighbors during casual conversation.

Listing the various negative predictions of stream and aquifer depletion made by qualified persons over several decades would be redundant - you know of these. I will however assert that this impending crisis was indeed foreseeable and avoidable. I believe the loss of water quality and quantity as seen by many residents of the canyon, both from wells and within Emigration Creek, correlates strongly with implementation of these large wells to the extent that causation is now indicated. I thus believe a severe curtailment or outright shut-down of these wells is now required.

Please note: My water right (#57-3289 (A34945), priority date 2/20/1963, with irrigation and domestic usage), is superior to both of the EID's water rights listed above.

Sincerely,



Eric M. Simon
6627 E Emigration Canyon Rd
Salt Lake City, UT 84108
WUD: 57-3289
Type: A34945

