



Jim Riley Engineering, LC

Specializing in Water Rights
James Riley, P.E.

April 22, 2015

Scot Boyd
Christensen & Jensen
257 East 200 South, Suite 1100
Salt Lake City, UT 84111

Re: Emigration Improvement District Water Rights

Dear Mr. Boyd:

You have requested that I look at the water rights of the Emigration Improvement District and send you a listing of all of the rights that I can find on the State Engineer's system. The following are my findings:

Water Right Number	Ac-ft	Status	Uses
57-2505	0.75	Decree	1 family, 0.075 acre irrigation
57-3202	0.75	Decree	1 family, 0.075 acre irrigation
57-3250	0.75	Decree	1 family, 0.075 acre irrigation
57-3351		Decree	57-3351, 57-8456, 57-8892
57-8456		Decree	and 57-8895 all combined for
57-8892		Decree	a total of 13 families and
57-8895	10.49	Decree	0.96 acre irrigation.
57-3663	0.45	Decree	1 family
57-7315	1.45	Decree	1 family, 0.25 acre irrigation
57-7690	0.45	Decree	1 family
57-7770	0.30	Decree	0.075 acre irrigation
57-8125	0.036	Decree	57-8125, 57-8126, and 57-8127
57-8126	0.44	Decree	all combine for a total of
57-8127	0.45	Decree	1 family and 0.11 acre irrigation
57-8191	5.888	Decree	6 families and 0.8 acre irrigation
57-10005	0.45	Decree	1 family

The above numbered water rights total 22.654 acre-feet of water. To date no change applications have been filed on any of these water rights to move these rights to any other sources in the canyon or for any other uses than those listed. The points of diversion are individual wells in Emigration Canyon. Some of these rights are only partially owned by Emigration Improvement District, the balance is still owned by the land owner who can still use the wells for irrigation purposes.

The two main water rights of Emigration Improvement District are water right Numbers 57-7796 and 57-8865. The following is a discussion regarding each of these rights:

Water Right Number 55-7796 is a water right for 33 cfs for the irrigation of 159 acres of land, the watering of 226 head of livestock and for the domestic needs of 17 families. The point of diversion is at approximately the mouth of Emigration Canyon at the Hogle Zoo. This is part of the old Emigration Dam and Ditch Company water rights. Annually since 1988, Emigration Improvement District has been filing temporary change applications on this right to allow two pumps that are in Emigration Creek and 26 wells, which all appear to be individual wells in the canyon. These temporary change applications would be junior to all of the other rights that are up the canyon. The priority of Water Right Number 55-7796 is 1872, however, this right is at the mouth of the canyon and as you move the water upstream it has the potential to interfere with other rights in the canyon. If impairment occurs the priority of the change application then becomes very important. Even though an 1872 priority is very early for Emigration Creek water, when a change application moves water above some other right that has been established with a junior priority date and impairment happens, the priority of the change application then becomes important when compared to the priority of the right that was impaired.

Water Right Number 57-8865 is a portion of the Mount Olivet Cemetery water right, which also is diverted at the mouth of Emigration Canyon. This right has a permanent change application, Number a12710b that has been approved to move the 94.04 acre-feet for this right up the canyon to 7 springs and 12 well sites. The change also modified the use of the water from irrigation to the domestic needs of 188 families and for the irrigation of 2.36 acres of land. This change application lapsed on December 31, 2013, and a request for reinstatement and extension of time was not filed until January 30, 2014. The new priority date of this change application is January 30, 2014. Again this is important if by moving this water right up the canyon it impairs other rights in the canyon, the priority of the change application then comes into play and January 30, 2014 is much later than most all of the other rights in the canyon.

Sincerely,

James E. Riley, P.E.
Manager