



SPENCER J. COX
Governor
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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES Division of Water Rights

BRIAN C. STEED
Executive Director

TERESA WILHELMSSEN
State Engineer/Division Director

JUL 28 2021

-ORDER OF THE STATE ENGINEER

On Extension of Time Request

For Permanent Change Application Number 57-8855 (a14474)

Permanent Change Application Number 57-8855 (a14474), in the name of Salt Lake City Corporation, was filed on October 27, 1987, and approved on September 23, 1988, to divert 0.1422 cubic feet per second (cfs) or 40.00 acre-feet of water as evidenced by Water Right Number 57-8855 from points located: (1) Well - South 950 feet and East 1420 feet from the W $\frac{1}{4}$ Corner of Section 6, T1S, R2E, SLB&M (existing 10-inch, 500 feet deep); (2) Well - South 190 feet and East 550 feet from the W $\frac{1}{4}$ Corner of Section 6, T1S, R2E, SLB&M (existing 10-inch, 500 feet deep); (3) Well - North 1130 feet and East 100 feet from the W $\frac{1}{4}$ Corner of Section 6, T1S, R2E, SLB&M (existing 10-inch, 500 feet deep); (4) Well - South 1210 feet and East 370 feet from the NW Corner of Section 6, T1S, R2E, SLB&M (existing 10-inch, 500 feet deep); (5) Well - South 1310 feet and East 1990 feet from the NW Corner of Section 6, T1S, R2E, SLB&M (existing 10-inch, 500 feet deep); (6) Well - North 1010 feet and East 2130 feet from the SW Corner of Section 6, T1S, R2E, SLB&M (existing 6-inch, 500 feet deep). The water is to be used for the irrigation of 2.58 acres from April 1 to October 31 and the indoor domestic requirements of 66 equivalent domestic units from January 1 to December 31. The water is to be used in all or portion(s) of Section 6, T1S, R2E, SLB&M. Proof was last due on August 31, 2020.

The applicant has filed for an extension of time within which to file proof with the State Engineer stating that minimal work has been completed since the well was drilled in 1988 due to poor water quality. It is currently economically infeasible to resolve the water quality issues. When demand arises, Salt Lake City will address the issues. Meanwhile, the City is holding the water right for the reasonable future needs of the public.

Notice of the extension request was published in the Deseret News on September 17 and 24, 2020, a protest was received from The Emigration Canyon Home Owners Association. The protest states that the underlying water right is being protested in a Proposed Determination. The water right is proposed to be used outside of Salt Lake City's municipal boundaries. Emigration Canyon is experiencing diminished groundwater and surface water flows. The applicant has not shown due diligence in completing proof of change.

Under the provisions of Section 73-3-12, Utah Code Annotated, and in the case of extension requests for a "public water supplier," the State Engineer may grant extensions of time if ". . . the applicant shows reasonable and due diligence in completing the appropriation; or a reasonable cause for delay in completing the appropriation" and "[t]he state engineer shall consider the holding of an approved application by a public water supplier or a wholesale electrical cooperative to meet the reasonable future water or electricity requirements of the public to be reasonable and due diligence in completing the appropriation . . . for 50 years from the date on which the application is approved."

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The applicant is a public water supplier and has indicated the water right is being held to meet the future needs of the public. The applicant has evidently satisfied the requirements of Section 73-3-12 and the extension request can be granted.

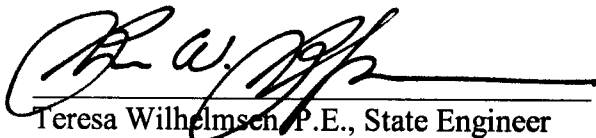
It is, therefore, **ORDERED** and an extension of time within which to submit proof is **GRANTED** on Permanent Change Application Number 57-8855 (a14474) to and including August 31, 2030.

It is the applicant's responsibility to maintain a current address with this office and to update ownership of their water right. Please notify this office immediately of any change of address or for assistance in updating ownership. Additionally, if ownership of this water right or the property with which it is associated changes, the records of the Division of Water Rights should be updated. For assistance in updating title to the water right please contact the Division at the phone number below.

Your contact with this office, should you need it, is with the Utah Lake/Jordan River Regional Office. The telephone number is 801-538-7240.

This Order is subject to the provisions of Administrative Rule R655-6-17 of the Division of Water Rights and to Sections 63G-4-302, 63G-4-402, and 73-3-14 of the Utah Code which provide for filing either a Request for Reconsideration with the State Engineer or for judicial review with the appropriate District Court. A Request for Reconsideration must be filed in writing with the State Engineer within 20 days of the date of this Order. The written request shall be filed in-person, by mail, or electronically. If the request is filed electronically it shall be submitted to: waterrights@utah.gov, which is the authorized general email for the Division. However, a Request for Reconsideration is not a prerequisite to filing for judicial review. A petition for judicial review must be filed within 30 days after the date of this Order or, if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 28 day of July, 2021.


Teresa Wilhelmsch, P.E., State Engineer
BY: Blake W. Bingham, P.E., Assistant State Engineer

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Mailed a copy of the foregoing Order this 28 day of July, 2021 to:

Salt Lake City Corporation
1530 South West Temple Street
Salt Lake City UT 84115

The Emigration Canyon Home Owners Association '[Th
c/o Mark Christopher Tracy
1160 E. Buchnell Dr.
Sandy, Utah 84094

BY: Liz Payne
For Doralee Cannon, Applications/Records Secretary