

September 4, 2007
Jerry D. Olds, P.E., State Engineer
Division of Water Rights
1594 West North Temple, Suite 220
Box 146300
Salt Lake City, Utah 84114-6300
Tel.538-7400/F.538-7467

Request for Reconsideration on 57-2234 (a9849) Extension of Time Request

Dear Jerry D. Olds, P.E.,

Is the subject application to bank water for legitimate "future need" or speculation and monopoly?

Despite the Utah Constitutional ban against direct and indirect water sales, Salt Lake City has managed to sell 25,000 acre-feet to the CUP, 7,237.95 acre-feet to Sandy City, 23,000 acre-feet to "SL county customers" and 3,300 acre-feet to "Wasatch County customers."

There is no empirical data to support the assertion of "future need" by the Salt Lake City water department. Given Salt Lake City water department's own documents the claim of "future need" is not credible.

On January 20, 1960 the Salt Lake City water department performed an in house analysis determining a "GRAND TOTAL UNDERGROUND Face Value of Rights on File (cfs) of 438.39 (Exhibit-1). Forty-seven (47) years later, Salt Lake City is pumping less than 2 cfs from its 26 remaining large wells after selling two wells to Sandy City with 2,000 acre-feet of water and another 10 cfs, or 7,237.95 acre-feet of well water. Since MWD Salt Lake determined the above well water was permanent surplus and this amount substantially exceeds the amount requested to be banked, then it is a fair statement to say there is no "future need."

Whether the 2,000 acre-feet were included in the 7,237.95 acre-feet is unclear. The 2,000 acre-feet was from actual wells while the 7,237.95 acre-feet came from 57-2402 (A35558a) (Exhibit-2).

Well water is a real money maker. At the Salt Lake City \$3.28 per 1,000 gallon rate, there is \$1,068.79 in billable water with a \$40 electrical cost to acre-foot. Sandy pumps about 10,000 acre-feet. Orem pumps 7,000 acre-feet. Salt Lake City pumps 1,300 from 26 large wells after MWD Salt Lake's sale of 2 wells to Sandy.

With with historic use around 2 cfs, and an idle 252 million dollar satellite treatment plant for surface water, it is unlikely that well water will be the "future need" source of water for the Salt Lake City water department.

The subject application to bank water for "future need" should be rejected.

Sincerely,



Jim Garside
2077 East 17170 South
Spanish Fork, Utah 84660
Tel. 801-471-6469 Fax. 801-749-2000

EXHIBIT 1

ANALYSIS OF SALT LAKE CITY WATER RIGHTS AND SOURCES TO MEET PROJECTED 1975 PEAK-DAY DIVERSION REQUIREMENT OF 365 CFS

January 30, 1960

A. Waters Used Directly in Municipal System

Face Value of Rights on File (cfs)	Possible Peak-Day Value in 1975 with low year (August, 1934) yield (cfs)	Source Description
27.40	27.40	I. Underground Sources
14.49	14.49	a. State and Erikson group flowing wells
12.59	5.58	b. Clear-View Trout Farm flowing wells
3.47	3.00	c. Hinnen Rights (former flowing wells)
4.38	2.09	d. Miller Ditch and Brinton Springs
166.06	78.43	e. Emigration Tunnel
		f. Drilled pump wells
	131.89	TOTALS
210.00	85.00	g. Unapproved pump wells
438.39	216.89	GRAND TOTAL UNDERGROUND
		II. Surface Sources
97.00	4.50	a. City Creek flow
75.00	0.00	b. Emigration Creek flow
200.00	3.19	c. Parleys Creek flow
7,000.00 A. F.	0.00	1. Mt. Dell Reservoir
8,000.00 A. F.?	0.00	2. Little Dell Reservoir
30.00	1.59	d. Mill Creek flow
213.49	11.66	e. Big Cottonwood flow
1,857.88 A. F.	0.00	1. Lake storage
12,000.00 A. F.	0.00	2. Argenta Dam
185.00	6.66	f. Little Cottonwood flow
7,000.00 A. F.	0.00	1. Beaver Pond Reservoir
		g. Spring Creek Springs flow
10.00	0.50	h. Tolcat Canyon flow
4.00	0.00	i. Salt Lake Aqueduct
----	120.00	1. Deer Creek Reservoir
46,000.00 A. F.	0.50	2. Tunnel seepage
814.49	148.60	TOTAL FLOW
81,857.88 A. F.	0.00	TOTAL STORAGE
1,252.88	365.59 Flow	GRAND TOTAL SURFACE AND UNDERGROUND SOURCES
81,857.58 A. F.	0.00 Storage	

Note: The rejected Duchesne River filings Nos. 10360 and 10361 were not included.

EXHIBIT 2

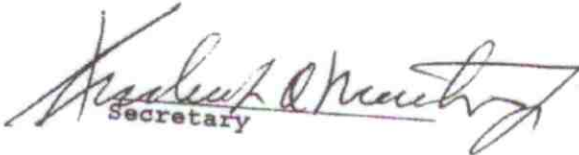
ASSIGNMENT OF APPLICATION (Corporate Form)

For valuable consideration, the undersigned hereby assigns and transfers Segregation Application No. 57-2402 (A25558a), together with all water rights evidenced thereby as follows:

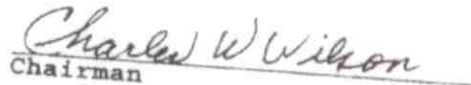
<u>Name of Assignee</u>	<u>Part of Application owned</u>	<u>Part of Application Assigned</u>
Sandy City Corporation c/o Department of Public Works 10000 Centennial Parkway Sandy, Utah 84070	All	All (10 cubic feet per second)

Dated this 28th day of March, 1994.

ATTEST:


Secretary

METROPOLITAN WATER DISTRICT
OF SALT LAKE CITY


Chairman

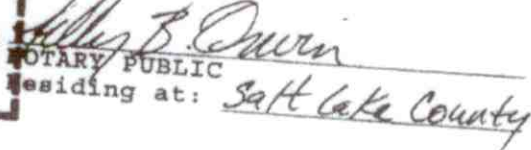
State of Utah)
County of Salt Lake) :ss.

On this 28th day of March, 1994, personally appeared before me Charles W. Wilson and Frederick A. Moreton, Jr., who being duly sworn, did say that they are the Chairman and Secretary, respectively, of the Metropolitan Water District of Salt Lake City, a metropolitan water district organized under the laws of the State of Utah, and that said instrument was signed in behalf of the Metropolitan Water District of Salt Lake City.

My Commission Expires

11/21/96




NOTARY PUBLIC
Residing at: Salt Lake County

SCANNED