

"That it does not have use for nor can it without leasing and use for outside the district of the applicant dispose of or make use of the waters it now owns."

BEFORE THE STATE ENGINEER OF UTAH

PROTEST TO APPLICATION OF METROPOLITAN WATER DISTRICT OF SALT LAKE CITY, 703 TRIBUNE BUILDING, SALT LAKE CITY, UTAH FOR 52ND FEET, APPLICATION NO. 2558-25558

PROTEST



STATE OF UTAH) COUNTY OF SALT LAKE) ss.

Wilford M. Burton, being first duly sworn, deposes and says that he is the attorney for and the duly authorized agent of the Big Cottonwood Tanner Ditch Company, a non-profit Utah corporation, and makes the following protest for and in behalf of that company:

That the Big Cottonwood Tanner Ditch Company is the owner of valuable water rights in the Cottonwood Canyons area of Salt Lake County, and is the owner of very valuable water rights from the water sources in which and from which the applicant proposes to receive its water.

That the waters sought to be appropriated by the applicant are tributary to and form a part of the water system from which this protestant receives its water.

That such water system is now decreed and all of the water rights have been determined by decree and said stream is now overly appropriated and all rights determined by such judicial determination.

That the applicant now and for some time past has been attempting to dispose of surplus waters of the applicant which it has from the Deer Creek project and the Provo River system.

That it does not now have use for nor can it without leasing and use far outside the district of the applicant, dispose of or make use of the waters it now owns.

That the water sought to be secured by virtue of this application couldnot be used at the present time beneficially within the limits of the boundaries of this applicant, and this application can be for no other purpose than and the purpose is to

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secure these waters for monopoly to pre-empt and for speculation. That there is now neither demand nor use for such waters as far as the applicant is concerned, nor as far as any of the water users of Salt Lake County are concerned.

That this application and this attempted procedure by the applicant is for the purpose solely of creating a monopoly and securing the control of the distribution of water throughout Salt Lake County, preventing the acquisition or the development of waters by the citizens of this state, and by monopolistic practices securing a market advantage to this applicant. That there is no need or beneficial use for these waters within the areas in the jurisdiction of this applicant or at all.

Walter M. Burton

McKAY, BURTON, McMILLAN AND RICHARDS
Attorneys and Counselors at Law
Newhouse Building
SALT LAKE CITY, UTAH

STATE OF UTAH)
COUNTY OF SALT LAKE) ss.

Subscribed and sworn to before me this 13 day of August, 1954.

Walter M. Burton
Notary Public
Residing at Salt Lake City, Utah

My commission expires:
Dec. 1, 1957