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WATER RIGHTS  
SALT LAKE

11 MARCH 1997

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

|                                       |                      |
|---------------------------------------|----------------------|
| IN THE MATTER OF CHANGE APPLICATION ) |                      |
| NO a20824 (57-10141) )                | PROTEST OF           |
| FILED BY Wayne Grant Crawford )       | EDWARD M. HIGBEE     |
| WITHIN THE DRAINAGE )                 | COURT APPOINTED      |
| BASIN OF THE JORDAN RIVER, )          | COMMISSIONER         |
| IN SALT LAKE COUNTY, UTAH. )          | BIG COTTONWOOD CREEK |

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Comes now Edward M. Higbee, whose address is 808 Marjane Avenue, Murray, Utah 84107-7628, and protests the granting of the above-numbered change application.

The Farr & Harper Ditch that was registered with the Utah Department of Commerce on May 25, 1994 by Wayne G. Crawford, with Wayne G. Crawford as owner, IS NOT THE FARR & HARPER DITCH THAT WAS DECREED WATER IN THE BIG COTTONWOOD DECREE court case, THE PROGRESS COMPANY, a corporation, Plaintiff, vs. SALT LAKE CITY, a municipal corporation, and numerous other persons and parties, Defendants, FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECREE, NO. 8921, dated 13 April 1914, C. W. Morse, Judge, Judgment record No. 22, Third District Court, State of Utah, County of Salt Lake, Pages 143 through 159 (see the protest to 57-9300 (a18075) dated 17 June 1994 with it's attachments).

This is an attempt to move water into areas that Mr. Crawford has NO ownership or right to trespass not to mention establish a diversion point in his name. Most of the change application points of diversion are for sites that have been approved in the name of Salt Lake City for persons who have a valid right to be on the property and have a valid right through agreements to the use of water from those points.

From all I can discern Mr. Crawford does not own any property in his own name in Big Cottonwood Canyon and has only a family interest in one piece of land.

The original diversion point described in 57-9300 a18075 has never been a point of diversion for any ditch on Big Cottonwood Creek. I wish to have the State REJECT this change application as a blatant speculative attempt to establish a right to previously decreed waters tributary to and delivered from Big Cottonwood Creek.

WHEREFORE, Protestant prays that a hearing under Rule R655-6-2 be held before the State Engineer and the above-numbered change application be rejected by the State Engineer.

*Edward M. Higbee*

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Edward M. Higbee  
808 Marjane Ave.  
Murray, Utah 84107-7628

