

Division of Water Rights
Weber/Western Regional Office
1594 West North Temple
PO Box 146300
Salt Lake City, Utah 84114-6300

May 28, 2008

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WATER RIGHTS
SALT LAKE

Subject: Groundwater Change Application Guidelines for Tooele Valley

The Tooele County Commission formed an advisory committee to be called “the Tooele County Water Users Committee” on May 6, 2008. The Committee is a working committee comprised of Tooele County citizens and was formed to establish a public communications forum to promote better communications on Tooele County water issues. Our purpose is to bring order and clarity to water issues affecting Tooele County citizens and water users. Our objectives are to identify, analyze and facilitate resolution of water rights problems and other water issues important to the citizens of Tooele County. The committee is intended to work closely with the Tooele County Commission, Division of Water Rights, the State Engineer, and other government agencies to facilitate resolution of problems impacting Tooele County citizens. This advisory committee reports to, and makes recommendations to, the Tooele County Commission. Members of the committee serve at the discretion of the Tooele County Commission and report to the County Engineer.

The Committee’s first order of business is to provide public comment on the Division of Water Rights Proposed “Ground Water Change Application Guidelines for Tooele Valley”. The committee met with Division staff on the proposed guidelines on May 15, 2008 to receive additional information and ask additional questions about the presentation given April 24, 2008. The meeting was insightful, and the committee, with the concurrence of the Tooele County Commission, now offer the following comments on the proposed Ground water Change Application Guidelines:

1. The committee concurs with your conclusion that water withdrawals must be distributed in a manner that protects existing water rights and the water resources they represent. We believe the Division of Water Rights should focus on water rights and delineate between existing water rights currently not in use, in approved nonuse, in current use, approved for development under new or change applications, previously filed pending un-approved applications and applications yet to be filed sometime in the future.
2. The Committee is concerned with the declaration that the data presented to the public in the April 24, 2008 meeting understates the over appropriation of water in the Tooele Valley because estimates of over appropriation do not take into account the nonuse water applications. Division staff estimate the over appropriation could be as high as 60% in the eastern zone. Citizen water users in the area have complained that springs, and wells are significantly lower in the last 20 years and this coincides with the increased appropriation in the eastern zone area. The Utah Geological Survey is of the opinion that the decline we have observed in the last 20 years is normal rebound from the increase in water level

caused by the exceptionally wet years of the 1980s. Very long-range data indicated that the aquifer is quick to recharge and slow to discharge. These factors tend to exacerbate the need for further study before implementing permanent policies.

3. The committee is further concerned that the adjudication and water studies being utilized to make the proposed guidelines are perhaps outdated and draw conclusions from data that need to be updated and further analyzed.
4. The committee concurs with your recommendations to place limitations on moving paper water rights from the under appropriated western portion of the valley to the over appropriated eastern portion of the valley.
5. The committee feels that the Division of Water Rights should also take immediate steps to restrict physical water from being removed from the over appropriated eastern zone and to insure that withdrawals from Salt Lake County are not adversely impacting the aquifer in Tooele Valley's eastern zone.

In conclusion, the committee recommends that the proposed guidelines be adopted on an interim basis while conducting a more detailed study of the factors of over appropriation in the Tooele Valley. Specifically, we request the Division undertake a review of water user claims yet to be approved by the State Engineer and the validity of water rights being held under nonuse applications. Additionally the Division should determine if Water quality should be a determining factor in approving change applications. We also request the Division determine if the very dated original adjudication and 1990's water studies are still appropriate for making current and future water rights decisions in Tooele County. In addition we would like to discuss when the proposed policy should be made effective and what pending applications are subject to it.

Sincerely,



Lee R. Brown, Chairman

On Behalf of Tooele County Water Users Committee

Cc: Tooele County Commissioners

Vern Loveless, Tooele county Engineer

James R. Gowans, Member

Brent Marshall, Member

Dwight Clark, Member

Leland Hogan, Member

Walter Holmes, Advisor