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August 8, 2013

Teresa Wilhelmsen
Utah Division of Water Rights
1594 W. North Temple, Suite 220
P.O. Box 146300
Salt Lake City, UT 84114

Re: Comments by Lehi City regarding Draft Cedar Valley and Northern Utah Valley Groundwater Management Plan dated July 9, 2013

Dear Ms. Wilhelmsen:

Lehi City appreciates the efforts of the Division of Water Rights to manage the critical groundwater resources and water rights of northern Utah County. At the public meeting held July 9, 2013, concerning the Draft Cedar Valley and Northern Utah Valley Groundwater Management Plan ("Draft Plan") the water users were invited to submit comments to the Draft Plan. Lehi City submits the following comments with regards to Section 5 of the proposed Appropriation Policy of the Draft Plan, which reads:

- 5) Change Applications proposing to move new underground points of diversion from Water Right Area 54 to Area 55, or Area 55 to Area 54, will not be approved except under the following conditions:
 - a. The underground point of diversion to be changed is an approved location as of June 4, 2013 within the Central Zone as shown on Figure 3. The Central Zone is defined by a two-mile buffer around the boundary between areas 55 and 54, and;
 - b. The proposed hereafter point of diversion must remain within the defined Central Zone.

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Within the Central Zone, the aquifer west of the Jordan River is both lesser in quantity and poorer in quality than the aquifer east of the Jordan River. The proposed Central Zone policy effectively authorizes groundwater rights in a less-productive aquifer and poorer water quality area to be moved into Lehi City's side of the Jordan River into a more productive and higher quality aquifer. Such a policy will encourage thousands of acre-feet of water rights to be moved across the Jordan River and will lead to impairment of groundwater rights and sources east of the Jordan River. Lehi City objects to Section 5 and respectfully requests that Section 5 be amended by deleting everything after the words "will not be approved."

In support of the requested amendment, Lehi City offers the following:

1. Section 5 as written does not meet the stated objectives of the Appropriation Policy, which are to ensure withdrawals do not exceed safe yield, safeguard the physical integrity of the aquifer and protect water quality in north Utah Valley. First, the Central Zone policy will lead to withdrawals exceeding more rapidly the safe yield within northern Utah Valley. Already the difference in Actual Use versus Recharge in all of northern Utah Valley is only 7,400 acre-feet. Allowing water rights in less-productive aquifers to be transferred to a more-productive aquifer will not only enlarge the water rights but bring northern Utah Valley more quickly under groundwater regulation by priority. Second, the Draft Plan and July 9th presentation provide no reasons why the Central Zone policy is needed or an explanation for how the Central Zone policy will in fact safeguard the physical integrity of the aquifer and protect the water quality. Based on Lehi City's experience, the Central Zone policy will not safeguard the aquifer or protect the water quality.
2. Allowing thousands of acre-feet of water rights to be transferred from the west side of the Jordan River to the east side within the Central Zone has the potential to draw the poorer quality west-side groundwater into the east-side groundwater aquifer and thereby not protect the water quality on the east side of the Jordan River.
3. Lehi City has demonstrated in various change application proceedings that wells located east of the Jordan River continue to experience declining groundwater levels. For example, see change application numbers 54-1167(a31644) and 54-1190(a31676). Recent data also demonstrates that groundwater levels continue to fall. See the attached printout of groundwater levels in the Gray well located S 227' E 1626' from W1/4 Corner Section 18, T5S R1E. These falling levels are occurring without Section 5 and the Central

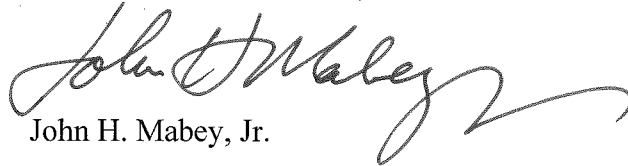
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Zone policy being in place. Adopting Section 5 as written will lead to impairment of water rights and well interference east of the Jordan River.

4. Section 5 of the Draft Plan has the potential to allow the transfer of thousands of acre-feet into the east Central Zone, but there is uncertainty about the exact water rights and numbers of acre-feet that are located in the west Central Zone. Lehi City requests that the Division of Water Rights provide a list of each of the water rights located in the west Central Zone so the impact can be better evaluated and understood.

In summary, Lehi City requests that the Central Zone policy be deleted from the Draft Plan, but desires further information if the Division pursues the policy. Thank you for the opportunity to submit these comments.

Sincerely,
MABEY WRIGHT & JAMES, PLLC



John H. Mabey, Jr.

cc: Lehi City

JHM/ma

Gray Well Post-Testing Extended Monitoring

Date Measured		
6/21/2011	4.58 '	Below Ground Level
6/29/2011	6.08 '	Below Ground Level
7/6/2011	6.88 '	Below Ground Level
7/15/2011	5.68 '	Below Ground Level
7/25/2011	7.38 '	Below Ground Level
8/5/2011	5.58 '	Below Ground Level
9/2/2011	4.48 '	Below Ground Level
9/28/2011	3.18 '	Below Ground Level
11/14/2011	0.92 '	Above Ground Level
12/15/2011	0.72 '	Above Ground Level
2/10/2012	1.12 '	Above Ground Level
4/10/2012	0.62 '	Above Ground Level
7/10/2012	18.18 '	Below Ground Level
10/24/2012	6.38 '	Below Ground Level
6/20/2013	22.35 '	Below Ground Level
7/19/2013	19.57 '	Below Ground Level