



waterrights DNR <waterrights@utah.gov>

Town of Rush Valley's Objection to Rush Valley Groundwater Policy change

1 message

Joe Cartwright <joe@cartwrightlawfirm.com>
To: waterrights@utah.gov
Cc: Brian Johnson <rushvalleymayor@gmail.com>

Mon, Dec 10, 2018 at 3:59 PM

Please see the attached letter with the objection to the proposed policy change.

Thank you for your consideration.

Best Regards,

Joe Cartwright
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 **Objection to Water Rights Policy Amendment.pdf**
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December 10, 2018

(VIA EMAIL ONLY)

Division of Water Rights
Email: waterrights@utah.gov

Re: Objection to Proposed Ground Water Policy for Rush Valley Basin in Tooele County

Dear Division of Water Rights:

I represent the Town of Rush Valley in connection with proposed changes to the ground water policy for the Rush Valley Basin in Tooele County. This letter is an objection to the proposed changes as explained in the November 8, 2018 Rush Valley Water Rights Policy Meeting.

Summary of Objection: The Mayor and Town Council of Rush Valley strongly object to the proposed policy changes. Based on their personal experience as water users in Rush Valley, they believe that such changes will create substantial deficiencies in water use in the Rush Valley basin and cause damage to all water users in Rush Valley.

1. The proposed policy change, if adopted, would dramatically affect the residents of Rush Valley and may make it impossible for them to continue to live, reside, work, or carry on their existing operations within Rush Valley.

2. Most of the residents in Rush Valley have experienced a continual drawdown of their individual wells used for their homes, livestock, and irrigation. Adoption of the new water policy would result in substantial drawdown of the ever-decreasing aquifer levels in Rush Valley, as well as those adjacent basins, including the Tooele Valley and Cedar Valley, which are closed to new appropriations.

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3. Rush Valley residents have every day experience showing that their wells don't produce anywhere near the amount claimed by the proposed policy. A good producing well in Rush Valley simply doesn't provide sufficient water for five acres. At most, Rush Valley residence have found that a good producing well can satisfy the use requirements of one home – not more.

4. In addition, the data used in the report is over eight years old. As all Utah residents have experienced, we live in a "new normal", where every year is a below average year. Using 8-year old data to develop new water policy is inappropriate as current water availability is far different than historical data.

5. We agree with the concerns expressed by the state engineer in the following areas:

(a) There are levels of uncertainty in recharge and discharge estimates that are not properly reflected in the data.

(b) Personal, first-hand experience by Rush Valley water users demonstrate that the well withdrawal estimates are extremely inflated and not close to actual use experiences.

For all of these reasons, we request that the proposed policy change be **rejected** and that further study be taken to obtain current data on current water usage and the true extent of well withdrawal rates.

Thank you for your consideration.

Sincerely,

CARTWRIGHT LAW FIRM, P.C.



Joe Cartwright
Attorney for Rush Valley