

Garland City
Municipal Corporation
72 North Main - P.O. Box 129
Garland, UT 84312
(435)257-3118

exhibit D
PROTEST FEE PAID
10-01136 SM

March 30, 2010

Utah State Engineer
P.O. Box 146300
Salt Lake City, UT 84114-6300


Dear Sir:

An official protest of the proposed Tremonton City underground water right diversion associated with W.R. 29-4476 (A78780) by Garland City is based on the following:

1. The proposed large diversion of underground water is upgradient and northeasterly 3,390 feet from the point in which the Garland City's main culinary water springs surface on the east side of the Bear River. The piezometric surface of the aquifer easterly of the springs is known to slope downward from east to west towards said Garland City's main springs which produce 3.0 cfs of culinary water for the community water system.
2. A search of the records of the State Engineer found that there was no existing well driller's log on the well so that an evaluation by our City Engineer and his hydrogeological consultants couldn't be made as to a potential impact of 3.34 cfs diversion from a deep underground well that is upgradient of the piezometric water surface of the mountain front aquifer which slopes from east to west towards the valley in the Deweyville area.
3. Because there is a reasonable belief from Garland City's position that there may be a potential negative impact on Garland's primary culinary water source due to the proximal relationship of the well location to Garland's springs sources, Garland City requests that if the water right diversion is approved any future confirmed negative impact upon Garland's spring source will result in an order to cease pumping of the subject well source and/or replace any lost production of Garland's spring source.

A pdf map image illustrating the relationship between the proposed well source water right is attached to document Garland City's stated position.

Sincerely,



Arlon Bennett
Garland City Mayor

RECEIVED

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**WATER RIGHTS
SALT LAKE**

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