



United States Department of the Interior

PROTEST FEE PAID

09-04622 TG

BUREAU OF RECLAMATION

Upper Colorado Region
Provo Area Office
302 East 1860 South
Provo, Utah 84606-7317

IN REPLY REFER TO:

PRO-751
WTR-4.10

DEC 07 2009

Kent L. Jones, P.E.
State Engineer
Division of Water Rights
1594 West North Temple, Suite 220
Salt Lake City, UT 84116-3154

Subject: Extension Request for A30414dv (41-3530)

Dear Mr. Jones:

A request for an extension of time has been filed for the subject water right, which is in the name of Duchesne County Water Conservancy District and the State of Utah Board of Water Resources.

Water Right No. 41-3530 is a segregated portion of the Flaming Gorge water right, Application to Appropriate No. A30414. This appropriation originally included both the storage of water in Flaming Gorge Reservoir and the beneficial use thereof for the "Ultimate Phase" of the Central Utah Project. After the "Ultimate Phase" was deauthorized, Reclamation assigned this portion of the appropriation to the Utah Board of Water Resources with the understanding that any portion of this water right not developed within 50 years of the original approval date (October 6, 2009) would lapse.

Reclamation is concerned that further extensions on the undeveloped portions of the Flaming Gorge appropriation could jeopardize the future of the Central Utah Project (CUP). To date over \$2 billion dollars have been spent to develop the CUP, which supplies agricultural, municipal, and industrial water to millions of Utah residents in the Uintah Basin, Heber Valley, and Wasatch Front corridor. The key right for the CUP, Water Right No. 43-3822, has the priority date of November 11, 1964. If all the senior undeveloped water rights in the Green River and San Juan River Basins are developed, Utah would exceed its portion of the Colorado River Compact and the Central Utah Project water rights would be adversely impacted.

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