



United States Department of the Interior

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

MAY 26 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: Change Application No. a35402 (89-1285, 89-1513, 89-74)

Dear Mr. Jones:

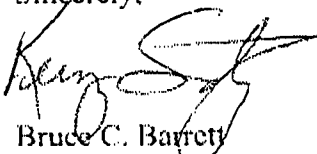
The subject change application has been filed by the Kane County Water Conservancy District. The purpose of the application is to change the point of diversion, place of use, nature of use, and reservoir storage of 29,600.0 acre-feet of water as evidenced by Water Right Nos. 89-1285, 89-1513, and 89-74.

Reclamation was founded upon the concept of developing the water resources of the Western States and we do not oppose Change Application No. a35402. However, we note that Water Right Nos. 89-1285, 89-1513, and 89-74 are all part of Application to Appropriate No. A35818 which is approximately 1 year senior to Right No. 43-3822 (A36639), the principal right of the Central Utah Project. To date we have spent over \$2.2 billion to develop this project and it currently serves millions of people along the Wasatch Front and in the Uintah Valley. Depending upon how much water is set aside for the Indian Reservation rights, the Green River Basin may already be over appropriated and could become subject to future Colorado River Compact water calls. We are concerned that the 29,600 acre-feet of depletion represented by this undeveloped senior water right could impact the existing developed beneficial uses under the Central Utah Project. Whether or not Change Application No. a35402 is approved, we ask that the next extension of time for Application to Appropriate No. A35818 reduce the priority of this water right to make it junior to the Central Utah Project water rights. We feel this priority cut is necessary to protect current water users who depend on and have committed billions of dollars to develop the Central Utah Project.

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We do not request a hearing. Please provide us with a copy of your decision for our review and files.

Sincerely,


for Bruce C. Barrett
Area Manager

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