



# United States Department of the Interior

## BUREAU OF RECLAMATION

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

IN REPLY REFER TO:

PRO-626  
2.2.4.21

VIA ELECTRONIC MAIL ONLY

OCT 25 2018

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

Subject: Administrative Hearing for Water Right Number 41-3747 (A81080) – Bonneville Unit,  
Central Utah Project

Dear Mr. Jones:

Water Right No. 41-3747 was filed by Water Horse Resources LLC, to appropriate 76 cubic feet per second, up to 55,000 acre-feet of water from the Green River to export out of the Colorado River drainage to the Denver, Colorado area. An administrative hearing has been scheduled, to be conducted by your office, on November 7, 2018. In reviewing the application and accompanying documents submitted by the applicant and the several protests to the application, it appears that a common thread expressed by the protesting parties is that the applicant has failed to meet the requirements set forth in Utah Code 73-3-8 to receive approval of this application. About 30 protesting parties may be involved in the administrative hearing. To enable these parties to focus on issues that may be unique to their individual protest, the Bureau of Reclamation requests that prior to the hearing that the applicant provide documentation of how this proposal meets 73-3-8 criteria.

To accomplish this, it is requested that the applicant be required to provide:

- Project design details to enable an estimate of the total cost of the physical facilities. This should include at least the total length of the pipeline from the diversion to its delivery location, the size, type of pipe to be used, the pumping equipment required, and construction costs.
- Evidence of contracts with entities that will receive and beneficially use the water to show that the water is needed by those entities and that they are committed to purchasing it for a price reflective of the cost to develop the project.
- Specific evidence of the applicant's financial ability to implement this project should be provided.
- Additional information that you may feel would assist in showing that this application is physically and economically feasible and that the applicant has filed this application in good faith and not for purposes of speculation.

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WATER RIGHTS  
SALT LAKE

Having the applicant provide this information prior to the hearing will help protesting parties improve their individual presentations, and focus on issues unique to each protestant rather than repeat commonly held concerns. Ultimately, having this information available for all parties will enable a more accurate evaluation of the applicant's proposal and what may ultimately be a court determination of whether it meets the requirements of the Utah Code.

Thank you for your consideration of this request. If you have any questions, please feel free to contact Mr. John Mann at 801-379-1096.

Sincerely,

ACTING FOR



Wayne G. Pullan  
Area Manager