

PROTEST FEE PAID

#18-01595

Uintah Water Conservancy District

"Steinaker Dam"

78 West 3325 North
Vernal, Utah 84078
Phone: (435) 789-1651
Fax: (435) 789-1670

"Red Fleet Dam"

April 3, 2018

Protestant: Uintah Water Conservancy District

c/o N. Gawain Snow
78 West 3325 North
Vernal, UT 84078

RE: Protest of Water Right Application A81080 (41-3747)

The Uintah Water Conservancy District holds water rights in the Green River and protests the water right application (A81080, 41-3747) of Water Horse Resources, LLC to appropriate and divert water on the Green River below the Flaming Gorge Reservoir.

As a governmental agency that has built water projects on the Green River and has put water to beneficial use and has provided to the State a 40-year plan to use additional water from the Green River, we believe that this application could impair existing water rights and the development of addition water as planned for by the Uintah Water Conservancy District as part of Utah's apportionment under the Colorado River Compact.

We would refer you to the Protest filed by the Utah Board of Water Resources that adequately explains our additional concerns with this application.

Sincerely,



N. Gawain Snow

RECEIVED

APR - 3 2018

WATER RIGHTS
VERNAL

SNOW
CHRISTENSEN
& MARTINEAU

Shawn E. Draney
LAWYER
Direct: 801.322.9138
Cell: 801.560.9852
sed@scmlaw.com

April 4, 2018

PROTEST FEE PAID

18-016006 ml
\$15.00

HAND-DELIVERED

Kent L. Jones, P.E.
Utah State Engineer
Utah Division of Water Rights
1594 West North Temple, #220
Salt Lake City, Utah 84116-3156

**RE: Application to Appropriate Number: A81080 (41-3747)
Applicants: Water Horse Resources, LLC (Aaron Million)
Protestant: Uintah Water Conservancy District**

Dear Mr. Jones:

This protest letter is submitted on behalf of the Uintah Water Conservancy District ("District"), 78 West 3325 North, Vernal, UT 84078. The District protests the above-referenced application on the following grounds:

The District is a Utah water conservancy district organized as the project sponsor for the Vernal and Jensen Units of the Central Utah Project. These Units serve irrigation, municipal, and industrial water to a variety of users throughout eastern Utah. The Units are integral to the Uintah County, Duchesne County, and surrounding areas, economy. Vernal Unit and Jensen Unit features include, among other things, the Steinaker Dam and Reservoir, the Fort Thornburgh Diversion and Steinaker Feeder Canal, and the Red Fleet Dam and Reservoir. The District also constricted, operates, and maintains the Green River Pumping Plant. Project water rights include, among others, Water Right No. 41-2963 (Green River, tributaries, and storage in Flaming Gorge). Needless to say, Vernal and Jensen Unit water rights include substantial rights in the Green River and a host of tributaries. Any alterations of operations and assets of the Vernal and Jensen Units, including water rights, are of paramount concern and strongly resisted by the District.

The application does not meet the requirements of the relevant parts of the Utah Water Code, including sections 73-3a-108, and 73-3-8. The District references and adopts as fully stated herein the following points and arguments made in the State of Utah, Division of Water Resources protest letter, dated April 2, 2018.

RECEIVED

APR 04 2018

WATER RIGHTS
SALT LAKE

Michael R. Carlston
Samuel Alba
Jody K Burnett
Shawn E. Draney
Rodney R. Parker
Richard A. Van Wagoner
Andrew M. Morse
Robert C. Keller
Daniel D. Hill
Camille N. Johnson
Elizabeth L. Willey
E. Scott Averkamp
Korey D. Rasmussen
David L. Pinkston
Brian P. Miller
Keith A. Call
Heather S. White
Robert W. Thompson
Scott H. Martin
Maralyn M. English
Bradley R. Blackham
D. Jason Hawkins
Richard A. Vazquez
P. Matthew Cox
Derek J. Williams
Steven W. Beckstrom
Scott Young
Nathan A. Crane
Scott C. Powers
Timothy J. Bywater
Christopher W. Droubay
Nathan R. Skeen
Dani N. Cepernich
Robert T. Denny
Adam M. Pace
Nathanael J. Mitchell
Matthew B. Purcell
Margaret B. Vu
Erik R. Hamblin
Scott A. Elder
Andrew L. Roth
Amanda B. Mendenhall
Rachel E. Phillips

OF COUNSEL
A. Dennis Norton
John E. Gates
Kim R. Wilson
Max D. Wheeler
Michael T. Lowe
David W. Slaughter
Dennis V. Dahle
Judith D. Wolfers

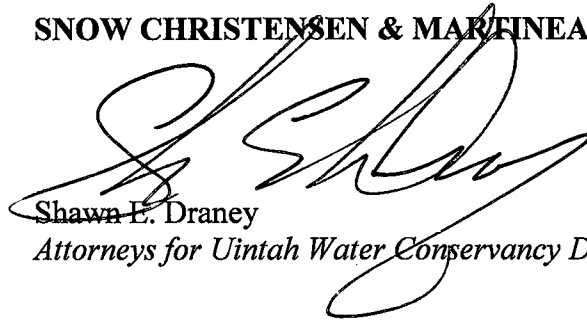
Kent L. Jones, P.E.
April 4, 2018
Page 2

The District does not request a hearing but would appreciate notice if one is scheduled.

Thank you for your attention to this matter.

Very truly yours,

SNOW CHRISTENSEN & MARTINEAU



Shawn E. Draney

Attorneys for Uintah Water Conservancy District

SED:mlr

cc: Uintah Water Conservancy District

RECEIVED

APR 04 2018

WATER RIGHTS
SALT LAKE

SCANNED MD

SUMMARY

The Association is a Utah nonprofit corporation organized in 1935 for the purpose of providing a supplemental water supply to its shareholders comprising six metropolitan water districts, one conservation district, several mutual irrigation companies and two small farming companies. The Association contracted with the United States Bureau of Reclamation for the construction of the Deer Creek Division of the Provo River Project. The Project includes, among other things, the Deer Creek Dam and Reservoir, the enlarged Provo Reservoir Canal, the enlarged Weber-Provo Diversion Canal and the Duchesne Tunnel. The Association is entitled to use the storage capacity of Deer Creek Reservoir, together with the total yield of storage water there from and a permanent right to the exclusive use of the water made available by the Project under the water rights standing in the name of Reclamation, which include, but are not limited to:

Water Right Nos. 55-7060 (a1902) and 55-7061 (a1903) covering the right to store 3,400 acre-feet ("AF") at a rate of 9.33 cubic feet per second ("cfs") annually of Provo River water in Deer Creek Reservoir during the irrigation season.

Water Right No. 55-295 (A16642) covering the right to store 100,000 AF annually of Provo River water in Deer Creek Reservoir during the entire year.

Water Right No. 55-262 (A12144) covering the right to store 17,410 AF of Provo River water in Deer Creek Reservoir annually by exchange during the following year for return flows of Project foreign water stored in Utah Lake.

Water Right No. 35-8737 (A9569) covering the right to divert 136,500 AF of water at a rate of 1,000 cfs annually from the Weber River for storage in Deer Creek Reservoir during the entire year.

Water Right No. 35-8756 (A12141) covering the right to divert 37,200 AF of Weber River water annually at a rate of 1,000 cfs for storage in Utah Lake and storage of like quantities of Provo River water in Deer Creek Reservoir by exchange during the following year.

Water Right Nos. 43-341 (A12230) and 43-343 (A12229) covering the collective diversions of 55,000 AF of Duchesne River waters at a combined rate of 600 cfs for storage in Deer Creek Reservoir during the entire year.

RECEIVED

APR 04 2018

WATER RIGHTS
SALT LAKE

SCANNED MD