



United States Department of the Interior

BUREAU OF RECLAMATION
Provo Area Office
302 East Lakeview Parkway
Provo, UT 84606



IN REPLY REFER TO:

49-620-3
2.2.4.21

VIA HAND DELIVERY ONLY

Ms. Teresa Wilhelmsen
State Engineer, Utah Division of Water Rights
1594 West North Temple
Salt Lake City, Utah 84114-6300

Subject: Protest Letter for Fixed-Time Application to Appropriate Water F83765 (43-13696)

Dear Ms. Wilhelmsen:

The Fixed-Time Application to Appropriate Water F83765 was filed on July 19, 2023, by ReWater LLC. This application is of concern to the Bureau of Reclamation.

Water Right 43-13696 proposes the appropriation of 485 acre-feet for oil and gas extraction. Concerning the Duchesne and Strawberry River, the Division of Water Rights website states, “There is limited ground-water resource available. Appropriations from isolated springs and underground water are generally limited to sufficient acre-foot amounts to serve the domestic needs of one family, irrigation of 0.25 acres, and 10 head of livestock.”

The applicant states that, “Groundwater wells extracting this water will service two purposes. First these wells will dewater groundwater underlying the area of surface water pits. Second, the water will be used for oil & gas drilling (+) completion activities.” It is concerning to Reclamation to have such a large quantity of water being proposed to dewater groundwater when effective management and conservation of the Colorado River Basin is such a high priority for the State of Utah.

Continued emphasis on development of water in the Colorado River Basin remains a focus for the State of Utah and Bureau of Reclamation. Due to the location of the proposed application within the Colorado River Basin, the State Engineer’s Colorado River Policy applies. To better utilize available water and better define Utah’s allocated flow in the Colorado River, Reclamation protests this application to ensure the availability of water and to continue to set a precedence that effective management in the Colorado River Basin is important moving forward.

As it stands, the application will interfere with existing water supply in the surrounding area. As F83765 does not meet criteria in Utah Code 73-3-8 to “not impair existing rights or interfere with the more beneficial use of water,” we request the State Engineer reject this application.

INTERIOR REGION 7 • UPPER COLORADO BASIN

COLORADO, NEW MEXICO, UTAH, WYOMING

SCANNED

If you have any questions regarding this request, please contact Mr. Dustin Woodbury at (801) 379-1259 or by via email at dwoodbury@usbr.gov or Mr. Tyson Roper at (801) 379-1193 or by via email at troper@usbr.gov. For Text Telephone Relay Service access, call the Federal Relay System Text Telephone (TTY) number at (800) 877-8339.

Sincerely,



Digitally signed by RICK BAXTER
Date: 2023.08.23 11:51:07
-06'00'

Rick Baxter
Acting Area Manager

cc: susannah.thomas@sol.doi.gov

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