

To: Kent L. Jones

State Engineer

Division of Water Rights

P.O. Box 146300

Salt Lake City, Utah 84114-6300

Original to Faxed
and electronic copies
KH Received 3/1/2010

From:

Curtis and Kerry Rozman

Ruby Ranch

PO Box 416

Green River, UT 84525-0416

TIMELY

89-74 a35402
09-462 a35874

Dear Mr. Jones:

I have been living at Ruby Ranch for 12 years. My wife, Kerry has been living at the ranch for 35 years. Kerry's Grandpa and her Dad began purchasing property here at the ranch in the 1950's. Our ranch is a 30 mile drive from the town of Green River, and located downstream from the new proposed point of diversion of water rights 89-74 and 09-462.

We grow alfalfa, corn, wheat, rye, sorghum, grass, cattle. Our entire livelihood and the ranch's very existence is founded on the water from the Green River, for which we have the water rights.

We have eight large pumps and some smaller ones that we use to pump water out of the river. Because the water level of the Green River fluctuates greatly during any given year, we have gone to great expense to be able to pump out of the river in high water and low water. We have seven pump stations that we have spent in the neighborhood of

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100,000.00 each constructing for this purpose. We have receipts for well over a million dollars in new watering systems. Even so, if the water level drops below its current low water levels, it may make it impossible to pump out of the river and bring great economic hardship to us, possibly even cause our business to fail. There have been several years already that have made it very hard for us to get enough water to pump. Any additional reduction of flow in the Green River during low water could easily cause hundreds of thousands of dollars in damages to our business. Our business and the life of the ranch rely solely on the uninterrupted supply of water from the Green River. To cut off access to our water rights and our use of the water would immediately cause an unsustainable situation. There are times already that the river is only a couple of feet deep across the entire river here at the ranch.

Our business brings in several hundred thousand dollars annually. This in turn helps grow the local economy by several times that amount. We do hire at least two local people during the year to help with operations. We have also worked with adjudicated youth many years during the summer. We work with boaters providing private access to the river. We have aided in many rescue and critical medical situations in our remote location.

I personally attended the public hearing concerning the proposed water allocations to the nuclear plant here near the town of Green River. The "experts" for the proposed nuclear power plant, intentionally misled those attending the meeting by misrepresenting the facts. They showed that the proposed 70 cfs allocation would "most likely" have no harmful effects on the river, the water quality, the biology of the river, recreation, and down stream users. They based this on historical data and purposely ignored the huge effect that recent allocations, some of which are still in progress, are going to have on the river during low water already. The thirty years of historical data they used does not address the

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largest new allocation of water in this area that has ever been made in the history of this valley. These allocations have had the bulk the physical infrastructure put in place in just the last couple of years. There is no historical data for the biggest portion of this new infrastructure that has been built specifically for these new allocations. They know about these allocations, the water rights office knows about these allocations, and yet the meeting was allowed to continue as if these new allocations were non-existent and of no great effect. This was very deceptive on all accounts, and should have been addressed in the public hearing and not glossed over and ignored like it was. These recent water allocations, which the expert witnesses totally ignored, are all public information and are definitely quantifiable, and are definitely going to have a huge impact on the river. This public information was available to them well before the public hearing. They knew that had they included this information in their presentation that there would be many obvious problems with their presentation. They would have to show that with the current new allocations plus the proposed 70cfs for the power plant the net effect on historical low water flow will be in excess of 30% not the erroneous 10% that they projected. This has serious implications for all related aspects of the river during low water. Their proposed water holding area near the site does not even come close to really avoiding low water adverse impacts. They purposely misrepresented the facts that were available to them with a great amount of bias. These were not unbiased "experts", these people are being paid big dollars to influence people and opinion. They made their presentations knowing that they were excluding "all" the facts.

If this is the way that the EIS is going to be conducted, then we know that this process is also going to be flawed. I have a bachelors of science degree, I would have been given a very low mark and lectured extensively on scientific process had I ever made a "scientific" presentation with bogus data like we were presented with on that day.

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Because their "experts" failed to show that their project will not impact the natural stream environment, not interfere with existing water rights, and not hurt agriculture nor hurt public recreation, their application should be denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Curtis Rozman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Curtis Rozman

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