



WESTERN RESOURCE
ADVOCATES

TIMELY

Sent via email and U.S. Postal Service

March 1, 2009

Kent L. Jones, State Engineer
Utah Division of Water Rights
P.O. Box 146300
Salt Lake City, UT 84114-6300

Original to electronic
copy Received 3/1/10
KH Attached are maps that
were included with electronic
copy but not with
original
E-mail to: kellyhorne@utah.gov

**RE: Protest of Change Applications: a35402 (89-74, 89-1285, 89-1513)
a35874 (09-462)**

RECEIVED
MAR 04 2010
WATER RIGHTS
SALT LAKE

Dear Mr. Jones:

Western Resource Advocates (“WRA”) appreciates the opportunity to submit this response letter in support of its protest of the above Applications for Permanent Changes of Water filed by the Kane County Water Conservancy District and San Juan County Water Conservancy District (hereinafter “Districts”), to supply the proposed Blue Castle Project near Green River, UT (hereinafter “Blue Castle Applications”). WRA is a nonprofit conservation organization dedicated to protecting the Interior West’s land, air, and water. In addition, WRA has been a participant in the Upper Colorado River Endangered Fish Recovery Program (“Recovery Program”) for nearly a decade.

Testimony submitted by the applicants at the January 12, 2010, hearing entirely failed to establish that perfection of the Blue Castle Applications would be consistent with river flows needed for federally endangered fish in the Green River. We urge the Division of Water Rights (“DWR”) to reject or withhold approval of the Blue Castle