

# Uintah Water Conservancy District

"Steinaker Dam"

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Vernal, Utah 84078  
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"Red Fleet Dam"

June 26, 2009

Kent Jones  
Utah State Engineer  
P.O. Box 146300  
Salt Lake City, UT 84114-6300

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5/26/09

RE: Protest for change application (a35402) Water Right Number 89-74

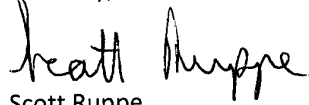
Kent:

I am writing this letter to protest change application (a35402) related to water right number 89-74 by the Kane County Water Conservancy District to move 29,600 AF of water with the original point of diversion at Wahweap Creek and Lake Powell to a diversion upstream on the Green River. My reasons for objecting and wanting more information are enumerated below.

1. We need to know how and if this new diversion from the Green River will affect the Uintah Water Conservancy District's (District) ability to develop its Green River Water.
2. Water was taken from the Uintah Basin to supply the needs for the St. George pipeline and, as I understood it, would also supply water to Kane County. If Kane County had this water, why was water taken from the Uintah Basin for the Lake Powell Pipeline?
3. There are very sensitive stretches in the Green River that are required to maintain minimum flows for the endangered fishes. If this water is taken from the Green River, will it infringe on the District's ability to develop its water.
4. The Bureau of Reclamation reportedly has water available for water service contracts out of Flaming Gorge, has Kane County looked into using that water instead of moving additional diversions upstream on the Green River?
5. What are the original dates of the underlying Water Right Number 89-74 and how does that priority compare to the priority of the District's Flaming Gorge water right and any other rights on the Green River?

Please advise me of any hearings on this water right and/or change application.

Sincerely,



Scott Ruppe  
General Manager

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MAY 28 2009

WATER RIGHTS  
SALT LAKE