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ST WATER RIGHTS
SALT LAKE

November 29, 2004

Jerry D. Olds, P.E.
State Engineer
Utah Division of Water Rights
Box 146300
Salt Lake City, Utah 84114-6300

RE: Protest new policy to allow transfer of
additional 1,500 afy of water rights into
Cedar Valley.

Dear Mr. Olds:

The purpose of this letter is to protest the change in water use policy for Cedar Valley. In November 15, 1995 a policy was adopted which closed new appropriations for ground – water in the Cedar Valley. On November 2, 2004 water users were notified by the State Engineers office that the policy has been changed to allow an additional 1,500 afy of water to be transferred into the valley.

I object to this change of policy for the following reasons:

1. The policy change was unexpected and premature. The state engineer's office has not had sufficient public input from existing water users in the Cedar Valley.
2. Existing water users need additional information, studies and evaluations from the State engineer's office to help them determine a strategy and best use of existing water rights.
3. It is my understanding that the impact of developing an additional 1500 afy of water rights is not clearly understood. The interpretation of existing studies is subject to dispute and interpretation by various professionals. The studies are preliminary in nature and more through studies need to be completed to more fully understand the geological nature of Cedar Valley and the impact of developing additional water rights.
4. Two springs in which the Cedar Fort Irrigation Company has water rights is experiencing a significant drop in output which may or may not be attributed to the drought cycle and raises additional doubts for developing new underground water rights down stream.

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I respectfully request that the policy to develop an additional 1500 afy in the Cedar Valley be placed on hold until these concerns can be addressed. I further request a hearing in this matter with the State Engineers Office.

Sincerely,



William H. Fowlke

For

Lola Fowlke

Stock Holder Cedar Fort Irrigation Company

596 West 1200 North

Orem, Utah 84057