

Escalante Valley Water Users Association
71 East Hwy 56
Beryl, UT 84714

April 28, 2008

Jerry Olds
Utah Division of Water Rights
1594 W. North Temple, Suite 200
PO Box 146300
Salt Lake City, UT. 84114-6300

Dear Mr. Olds,

As you are aware, the Escalante Valley Water Users Association has spent an enormous amount of effort working proactively to help facilitate the development of a ground water management plan for the Beryl/Enterprise area that would be successful in balancing the needs to protect the ground water aquifer while meeting the needs of protecting the economic viability of individuals and the community.

As you are further aware, the Escalante Valley Water Users Association has developed and submitted 2 different proposals for the frame work of a ground water management plan to the State Engineer, one in May of 2007 and one in October of 2007. These plans supported by 95% plus of the water users have been discussed in detail with the State Engineer on multiple occasions. Many, many affected agencies, organizations and individuals submitted comments by the May 15, 2007, deadline and the September 30, 2007, deadline supporting the concepts of these plans, specifically the idea of a locally developed solution that balances the need for a reduction in water consumption with the need of protecting the economic viability of individuals and the community.

These plans have not been acceptable to the State Engineer on the basis of not having a rigid schedule to meet the State Engineer's definition of safe yield. The State Engineer presented a ground water management plan proposal at a public meeting held January 10th in Enterprise with comments

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due on April 30th. The Escalante Valley Water Users Association has two comments from the information presented at the meeting.

1. The assumptions used in the economic analysis presented were flawed and grossly inadequate and did not begin to address the economic impacts of water use cuts to individuals, the local community, the counties and the State.
2. The time line presented for water use cuts is too short in light of the circumstances in the Beryl-Enterprise area and should be extended to help meet the needs to satisfy the economic impacts.

The Escalante Valley Water Users Association requests that the State Engineer give serious consideration and response to the enclosed conceptual plan which uses the intended flexibility that was built into the legislation, which allows for economic impacts to be addressed through gradual implementation.

This plan consists of water users agreeing to cut water use by 5 percent at the end of each 20 year period beginning in 2010 up to a cumulative total of 45 percent over 180 years. This time frame addresses the need for gradual implementation so as to allow water users and the local community to absorb the economic impacts. Also, through studies performed on the average historical water decline in the basin and projections based on the historical trends, we can demonstrate that the basin will not be materially negatively impacted and that we will reach safe yield before the average water level reaches 250 feet below the surface.

We would be happy to meet with you in the next few weeks to discuss this plan and work out the details of this proposal.

Sincerely,



Michael W. Brown, Board President