

over shadows the slight risks involved that some of the existing filings might interfere with future comprehensive development. After all any appropriation of water is going to be used in the State of Utah. If the filing is for the purpose of speculation (to interfere with proposed developments) or even though not filed for purpose of speculation (but nevertheless to interfere with the projects) the State Engineer can reject and protect proposed projects. Why we need to go further and withdraw all of the water in a watershed to protect developments that are 10 or 20 years in the future escapes me.

I appreciate the position of the Bureau of Reclamation. The Bureau would like to develop any undeveloped water as a part of a comprehensive plan and to assure that it will have no interference whatever from private users. The policy followed will protect the Bureau completely from property law suits and will assure it of a monopoly in the development of the particular areas. Any water which could be appropriated and used now without the aid of the Bureau will be cheap water and it undoubtedly would be advantageous to the Bureau to have this cheap water included in proposed projects.

I do not think, however, that it is necessary to the Bureau's plans to withdraw this water. It was my opinion in the beginning and still is that the State Engineer has adequate power under the provisions of Section 100-3-8, as construed by the Supreme Court in Tanner vs. Bacon, to protect any proposed project from small filings which would interfere with comprehensive development. Since I think the State Engineer has the power to protect these areas anyway I fail to see any reason why these areas should be withdrawn from development for the next 10 or 20 years.