



State of Utah

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RECEIVED

AUG 04 2025 SB
WATER RIGHTS
SALT LAKE

Re: Late Protest to Application to Appropriate 18-795 (A84685)

Director Wilhelmsen:

The Utah Division of Wildlife Resources (DWR) reviewed the Application to Appropriate 18-795 (A84685) and we offer the following concerns.

DWR is concerned that groundwater pumping may affect the adjacent springs that contain important aquatic habitats for amphibians, fish and springsnails, many of which are considered species of greatest conservation need. DWR also has two approved water rights (18-256, 18-711) in close proximity to the proposed drilling.

Anything that reduces the flow in the springs within three miles of the wells may impact two adjacent least chub, Columbia spotted frog, and northern leopard frog populations. Notably, these are two of the six wild populations of least chub, and some of the most robust Columbia spotted frog populations in Utah. It may also impact populations of an unknown species of springsnail found in those habitats (all springsnails are conservation species with a conservation agreement signed by Utah and Nevada).

Least chub and Columbia spotted frog are considered a species of greatest conservation need and are managed under multi-agency Conservation Agreements and Strategies in the State of Utah. The goal of these agreements is to ensure the long-term persistence of these two species within their historic range and support development of range-wide conservation efforts with an objective to eliminate or significantly reduce threats to least chub and Columbia spotted frog and their habitats to the greatest extent possible. Least chub, Columbia spotted frog, and northern leopard frog have each been petitioned for listing under the ESA, however, the implementation of the conservation agreements significantly reduced the threats that initially warranted listing. Habitat loss has been a major factor in the decline of populations of these species. Flow alteration and water withdrawal in streams and changes to water levels in wetlands not only reduce the amount of available habitat and have implications for the maintenance of appropriate habitat conditions, but also affect movement patterns, access to prey, and vulnerability to predators (Holden et al. 1974, USFWS 1995).

DWR holds water rights in close proximity to the proposed pumping. These water rights rely on spring discharge and are vital as in-stream flow to maintain aquatic habitats for least chub, Columbia spotted frog, northern leopard frog, and other wildlife.

Through the Utah Watershed Restoration Initiative, substantial resources, finances, and time have been invested in vegetation restoration efforts to improve habitat for wildlife species, including the following projects: 1947 Foote Spring Restoration, 1335 Gandy Marsh Prescribed Burn, 2724 Snake Valley Least Chub project, 6575 West Desert Vegetation Management project, and 6020 West Desert Vegetation Management Project.

The DWR would appreciate the opportunity to be involved and review any proposed project plans if the water right is approved. DWR is willing to work with the BLM and project proponents to create a reasonable mitigation plan, as well as a set of design features for project construction and operation that are least impactful for wildlife.

We appreciate this opportunity to review the proposed plan. Your consideration of our request is appreciated.

Sincerely,



Riley Peck
Director

ACTING DIRECTOR

MFC/jk

