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June 10, 2019

Utah Division of Water Rights
Attn: Snyderville Groundwater Policy
P.O. Box 146300
Salt Lake City, Utah 84114-6300

Re: Comments on Draft Snyderville and Park City Interim Policy

Dear Division of Water Rights,

This letter provides the comments of Mountain Regional Water Special Service District (“**Mountain Regional**”) to the Draft Snyderville and Park City Interim Policy dated May 21, 2019 (“**Draft Policy**”).

At the outset, Mountain Regional expresses its appreciation for the Division’s efforts in preparing the Draft Policy and for presenting the Draft Policy at the May 21, 2019 meeting held in Park City. Mountain Regional supports the Draft Policy, particularly the Draft Policy’s allowance for water rights to be moved from the more stressed East Canyon drainage to the more stable Lower Silver Creek drainage.

Mountain Regional’s sole comment involves paragraph 10 of the Draft Policy, which provides:

10) The State Engineer will require, as a condition of approval of all future applications to change or exchange water, that the applicant use all reasonable and prudent means to insure the effluent or return flow from the water use remains in the drainage from which it is diverted. An exception may be made if the applicant can demonstrate that the proposal can mitigate the impacts on the hydrologic system.

Paragraph 10 appears to be a holdover from the prior Policy and its strict limitations on moving water between drainages and subbasins. Mountain Regional suggests that paragraph 10 be amended to be in harmony with the new, more flexible approach in the Draft Policy. The Division might consider language similar to the following:

10) In reviewing applications to change or exchange water, the State Engineer may consider the impacts of any changes to effluent or return flow from the proposed water use, as well as possible mitigations to such impacts on the hydrologic system.

Again, we appreciate the Division’s efforts on the Draft Policy. If the Division has any questions, please do not hesitate to contact me.

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LAND WATER LIFE

Sincerely yours,
SMITH HARTVIGSEN, PLLC



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Cc: Michael Drake, Regional Engineer (via email)
Mountain Regional Water SSD (via email)