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COUNTY COMMISSIONERS

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WATER RIGHTS
SALT LAKE

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To Whom It May Concern:

On November 3, 2022 Governor Cox issued a proclamation closing the Great Salt Lake Basin to new water right appropriations. On February 6, 2023 Teresa Wilhelmsen, the state water engineer, came to Brigham City to have a discussion and dialogue with water users in the county to talk about how this proclamation would affect them. Many ideas were discussed ranging from closure to having them open with no restrictions. One of the results of that meeting was the creation of a group called Area 29 Stakeholder Group. Area 29 is defined as the Bear River Basin inside Box Elder County. There have been lots of ideas and challenges discussed concerning this issue. From our perspective some of the most important issues have yet to be discussed. The following are some of our thoughts:

Protect our water rights. Both privately held and those held by communities. Protecting; in our judgment, means preserving them for their respective uses for which they were filed on.

Our opinion is that an either completely open or completely closed appropriation policy is not valid. Instead, we think that an application should be considered on its own merits as to whether it should be appropriated or not. There should be some considerations.

What is the need? What is the best way to meet that need without losing our rights and our identity? How do we define what a need is? We can all agree that needs are different from wants. Who defines the need? Local officials should be involved in these discussions. They have been elected to represent the people of the county. With the increasing population of the county, the definition of a need seems to be more gray than black and white as it used to be.

A review of the topographical area and the proximity to other water rights and their sources need to be carried out. If the state allows wells to be drilled between current water rights and their source without doing significant testing, there is no feasible way to know if the new well will have a negative impact on those with the

current water rights holdings. We all have theories and ideas but that does not mean that they are all valid. They need to be verified through studies.

All proposals should be prioritized. A scale of prioritization should be designed by county residents with experience in water issues who could then recommend to the county leaders how they feel the county should proceed. All issues of water use need to be discussed on a local level; this is imperative.

Perhaps changing the use of water rights should be approached like land use changes, similar to how Planning and Zoning handles land use change applications. Whatever the vehicle, the people of the county should have a voice in what happens to their water rights.

It is a well known fact that the states do not like the Federal government to take action without conferring and working with the state. We would appreciate the same consideration for the counties in Utah

There are many other ideas that could be discussed. The bottom line is that we live in the second driest state in the country. Sometimes it feels like we are trying to accomplish big goals without remembering the limits of our circumstances. This does not mean that we believe people from other areas of the state would not have recommendations. However, in our experience other's recommendations generally benefit themselves and not the residents of the county.

Sincerely,



Stan Summers, Chair
Box Elder County Commission



Boyd Bingham
Commissioner



Lee Perry
Commissioner