State Engineer's Interim Policy for the Snyderville/Park City Basin

February 9, 1999

The Snyderville/Park City Basin (basin) is defined as that part of the East Canyon Creek drainage in Summit County (from the Morgan / Summit County line to the headwaters of East Canyon Creek) and that part of the Silver Creek drainage which is above the confluence with Tollgate Canyon Stream. The part of the basin which is drained by East Canyon Creek is referred to as the East Canyon drainage; that part which is drained by Silver Creek is referred to as the Silver Creek drainage.

In recent years there has been a rapid increase of the population in the basin. This has transformed an area dominated by mining and agriculture to one where the main water uses are now domestic, municipal, industrial, and commercial. Consequently, the water rights which supported the former uses are being acquired and changed to the new uses. In addition, water rights based on Weber Basin Water Conservancy District and Davis and Weber Counties Canal Company contracts were being moved into the basin under exchange applications. To address these issues, the State Engineer began holding a series of public meetings in November of 1995. These meetings were held to keep water users apprised of research being conducted by the Utah Geological Survey (UGS) and the United States Geological Survey (USGS), review the results of that research, seek input on hydrologic conditions, and discuss policy options. The last of these meetings was held on November 23, 1998.

The basin was closed to new appropriations of surface water in 1937 by the Weber River Decree, except for those waters reserved for the Weber Basin Project by a Governor's closure proclamation. Ground water appropriations were halted in 1973. In the late 1970s, the State Engineer placed a moratorium on the transfer of water rights into the basin where the amount of water exceeded 1.0 acre-foot per year (af/yr). In 1988 the moratorium boundaries were expanded and the moratorium was extended to all such transfers.

As a result of these activities, and comments received from water users, the following policy is hereby adopted by the State Engineer.

1. This policy is effective as of February 9, 1999.

2. This policy is implemented on an interim basis to allow for modifications and refinements as new data becomes available. Any such modifications to this policy will be done in consultation with water users in a public forum.

3. The basin will remain closed to all new appropriations of surface and ground water.

4. Applications to change or exchange water based on valid, existing water rights within the basin will be considered on their individual merits and subject to the provisions of paragraph 14.

5. The State Engineer will not approve applications to change or exchange water where the heretofore source of supply is located outside the basin and the hereafter source of supply is located within the basin. Exceptions will be made for applications which seek to replace currently existing applications.

6. The State Engineer will consider applications to change or exchange water which propose to import water from outside the basin to places of use within the basin. Such applications will be considered on their individual merits.

7. The State Engineer will not approve future applications to change or exchange water which propose to move the point of diversion from the East Canyon Creek drainage to the Silver Creek drainage, or vice versa, unless the applicant can demonstrate that the hydrologic system is not adversely affected.

8. 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 that 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.

9. In conjunction with all future proof of beneficial use of water, the State Engineer shall require that the total volume of water to be certificated has, in fact, been developed and placed to beneficial use. The State Engineer will review the total operation of a system or water user to insure the intent of this requirement is met.

10. The Weber River Commissioner and his deputies shall distribute the waters of the basin by their priority date in conjunction with other water rights on the Weber River system. Where the State Engineer deems it necessary, water users shall install regulating and measuring devices on their diversion works and make those devices available to the Commissioner or his deputies at all reasonable times. The Commissioner shall also regulate and monitor any requirement imposed under this water management policy. Measurements made by the Commissioner in the performance of his duties shall be included in his annual report to the State Engineer.

11. The applicants for new wells within the basin shall be responsible to provide cuttings samples, at ten foot intervals, from said wells for analysis and geologic logging. The resulting logs shall be posted on the Division of Water Rights Internet website. The Division of Water Rights shall make sample collection bags available to the drillers and shall pickup the samples for analysis.

12. Applicants, at their own expense, shall be required to perform an aquifer test on all new wells approved after the issuance of this policy on wells which will be used for public supply, commercial, or industrial purposes. The parameters and conditions of said tests shall be approved in advance by the State Engineer. The results of said tests shall be public information.

13. Water users shall install totalizing meters on all wells which are approved to divert 20 acre-feet per year or more and annually report their diversions to the Weber River Commissioner.

For public water supply systems, if they submit a form under the National Water Use Data System, it will meet the requirements of this paragraph.

14. New applications will be evaluated according to the amount of unallocated depletion available in the six (6) subbasins delineated in Technical Publication No. 115, Brooks, Lynette E., Mason, James L. and Susong, David D., 1998, Hydrology and Snowmelt Simulation of Snyderville, Park City, and adjacent areas, Summit County, Utah. The average annual amount of surface or ground water which may be depleted (depletion allowance) from each subbasin under current and future water rights is as follows:

Depletion Allowance	Drainage	Subbasin
6,400 af	East Canyon	East Canyon
3,700 af		Snyderville
5,550 af		McLeod
1,000 af		Silver Creek Junction
1,750 af	Silver Creek Lower	Silver Creek
5,300 af		Upper Silver Creek

The State Engineer may consider return flow patterns and unused depletion allowance in administering the water resources within a subbasin. In considering change applications which move water from one subbasin to another, the depletion under existing rights shall be evaluated.

1.: Utah Department of Natural Resources Technical Publication No. 115, 84 p.