



JORDAN VALLEY WATER
CONSERVANCY DISTRICT

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November 3, 2008

Jerry D. Olds, P.E., State Engineer
Utah Division of Water Rights
PO Box 146300
Salt Lake City, UT 84114-6300

Subject: Comments to Proposed Rule 655-16

Dear Jerry:

The JWCD appreciates the opportunity to comment on the proposed rule R655-16. The process used by your office which included a public hearing on September 16, 2008, and an extended period for public comment has been helpful.

The District attended the September 16 hearing and appreciated the time spent by your staff to explain the objectives of the proposed rule. Your staff commented that the rule would not apply to public water suppliers holding either vested rights or approved applications which are designated for municipal use. The proposed rule as currently written is not clear on that exemption.

The rule analysis states that an applicant can comply with the rule with no cost and the additional form can be completed in less than 60 seconds. The District believes that water users affected by the proposed rule will need to perform a very careful analysis to determine the source of supply derived from each right in a group of supplemental water rights. The yield of each supplemental right often varies significantly from year to year and it may be difficult to define amounts that would accommodate the future variability of each respective right.

The District has participated with the Utah Water Coalition and concurs with the comments submitted by Fred Finlinson on behalf of the Coalition. Again, thank you for extending the opportunity to submit comments to the proposed rule. Please call me if you have any questions about these comments.

Sincerely,

Alan E. Packard, P.E.
Assistant General Manager and Chief Engineer

c: Richard Bay