

SALT LAKE CITY

November 3, 2008

Jerry D. Olds, P.E.
Utah State Engineer
1594 West North Temple
Suite 220
Salt Lake City UT 84114-6300

BOULDER

COLORADO SPRINGS

Re: Comments on R655-16. Administrative Procedures for Defining
Beneficial Uses for Supplemental Water Rights

Dear Mr. Olds:

DENVER

Weber Basin Water Conservancy District ("Weber Basin") appreciates the opportunity to comment on the proposed Sole Supply Rules. Weber Basin is a member of the Water Coalition, and as such, joins in the comments forwarded on behalf of the Coalition by Fred Finlinson.

LONDON

Weber Basin also has additional concerns as a contractor with the Bureau of Reclamation on the large Weber Basin Project and as a municipal water provider with multiple sources spread across several counties. As with the other large federal water contractors, it will be very difficult, if not impossible, to sole supply the water rights of the United States in the project with all the other District owned water rights.

LOS ANGELES

MUNICH

For example, Weber Basin owns shares of stock in the Weber River Project (e.g., Echo Reservoir). It also owns shares of stock in Davis and Weber Counties Canal Company, which owns shares of stock in the Weber River Project. Water from the Weber River Project is used up and down the Weber River, and its tributaries by exchange (such as East Canyon Creek), and it is conveyed across the Weber-Provo Canal to the Provo River, where it is comingled with many federal and private water rights. It is apparent that determining a sole supply for all of the rights that could be involved in the supplemental groups would not be possible.

PHOENIX

SAN FRANCISCO

Weber Basin also is a municipal water provider throughout its service area. It contracts with cities, individuals, other water districts, companies and governmental agencies. Its contracts often involve both its federal water rights and its own privately owned water rights. It would be onerous to require

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Weber Basin to quantify water rights from all of its sources through to the end users.

Thus, Weber Basin respectfully requests that the State Engineer clarify that Proposed Rule Section 16-6 (1) (a) should exempt critical federal contract water contractors and critical municipal suppliers from complying with the rule when an administrative action is sought subsequent to conversion of their water to municipal and industrial uses.

Thank you for considering Weber Basin's comments.

Sincerely,

Jody L. Williams