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December 17, 2009

Thurman & Sutherland 1886
Thurman, Sutherland & King 1888
Thurman, Wedgwood & Irvine 1906
Irvine, Skeen & Thurman 1923
Skeen, Thurman, Worsley & Snow 1952
Worsley, Snow & Christensen 1967

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VIA HAND-DELIVERY

Kent L. Jones, P.E.
Utah State Engineer
Utah Department of Natural Resources
1594 W. North Temple
Salt Lake City, UT 84116-3154

Re: *Comments of Metropolitan Water District of Salt Lake & Sandy on Proposed Rule R655-16 Relating to Administrative Procedures for Declaring Beneficial Use Limitations for Supplemental Water Rights*

Dear Mr. Jones:

Metropolitan Water District of Salt Lake & Sandy ("MWDSLS") submits the following comments on proposed Rule R655-16 -- Administrative Procedures for Declaring Beneficial Use Limitations for Supplemental Water Rights, published in the Utah State Bulletin November 1, 2009 (the "Proposed Rule"). MWDSLS appreciates the opportunity to offer the comments below and appreciates the recent efforts to alter and improve the Proposed Rule from that which was published in August of 2008.

MWDSLS provides a substantial portion of the water delivered by its two member cities, Salt Lake City and Sandy City, to their retail customers. MWDSLS's water supply comes from a number of sources which include the Provo River Project, certain water rights of its two member cities, the Little Dell Project, the Central Utah Project Bonneville Unit, and the Ontario Drain Tunnel. Each of these particular sources is supplemental to each other for purposes of MWDSLS operation and delivery, and to MWDSLS member cities' rights.

MWDSLS agrees with and supports the comments to the Proposed Rule submitted by the Provo River Water Users Association, Salt Lake City, and Sandy City.

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Utah Department of Natural Resources
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Specifically, MWDSLS requests and recommends the Proposed Rule be modified to not only include, but clarify and annunciate the critical exceptions for "Water Suppliers" and all municipal and industrial (M&I) uses, as well as for those water rights that support Utah's federal storage projects.

MWDSLS looks forward to continuing involvement in this ongoing rulemaking process. Thank you for your attention to this matter.

Very truly yours,

SNOW CHRISTENSEN & MARTINEAU



Scott H. Martin
Counsel for Metropolitan Water District
of Salt Lake & Sandy

SHM:lsj

cc: Michael L. Wilson, General Manager

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