



GARY R. HERBERT
Governor
GREG BELL
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

MICHAEL R. STYLER KENT L. JONES
Executive Director State Engineer/Division Director

February 28, 2013

Metropolitan Water District of Salt Lake & Sandy
c/o Scott H. Martin
PO Box 45000
Salt Lake City, UT 84145-5000

Sandy Irrigation Company
c/o John H. Mabey, Jr.
175 South Main Street, Suite 1330
Salt Lake City, UT 84111

RE: Request for Reconsideration of Application Number 57-7800 (a28548)
Specific reference is made to Mr. Martin's letter, dated January 23, 2013

Mr. Martin and Mr. Mabey,

I am writing to request additional information regarding a specific statement included in Mr. Martin's January 23, 2013 letter requesting reconsideration of the above listed application. This letter is being addressed to both the sender of the subject letter and Sandy Irrigation Company (SIC) because the statement directly refers to SIC.

In Mr. Martin's letter the following statement is made:

Sometimes the potential impacts to MWDSLS are not apparent. For example, Sandy Irrigation Company has a right to 2 cfs of first primary winter water it makes available by contract to Sandy City, who in turn makes that water available to MWDSLS for treatment.

To clarify our interpretation of the Sandy Irrigation Company's right to water from Little Cottonwood Creek, please provide a more detailed explanation of the right you describe as "first primary" winter water.

We have typically used the term "second primary" to describe the right you may be referring to as the water under contract with Sandy Irrigation Company and Sandy City. It is our understanding that up to 2 cfs is diverted under Water Right Number 57-8756, as stipulated in "Paragraph 34" of the Little Cottonwood Creek decree dated June 16, 1910. This is the water right number referred to in SIC's request for reconsideration to the above-listed change application.

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Please clarify if we are using different terms to describe the right of SIC, or if your reference is to a different water right entirely. Please provide any other information or data you think would be helpful.

I ask that your response to this inquiry be submitted within 30 days from the date of this letter. If you have additional questions regarding this request, please contact Teresa Wilhelmsen, P.E., Utah Lake / Jordan River Regional Engineer at 801-537-3119.

Sincerely,

A handwritten signature in black ink, appearing to read "Kent L. Jones". The signature is fluid and cursive, with a large loop at the end.

Kent L. Jones, P.E.
State Engineer

cc: To all parties on file with the State Engineer's Office

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Kevin Tolton
585 Lofty Lane
North Salt Lake, UT 84054

USA Forest Service
c/o Jeanne A. Evenden
324 25th Street
Ogden, UT 84401

Alta Energy LLC
c/o Bill Lennon
PO Box 8101
Alta, UT 84092-8101

Town of Alta
c/o Lee Kapaloski
201 South Main Street, Suite 1800
Salt Lake City, UT 84111

Little Cottonwood Creek Distribution Committee
c/o Sam Moore
7973 Willow Circle
Sandy, UT 84093

Little Cottonwood Creek Distribution Committee
c/o Jeff Niermeyer
1530 South West Temple
Salt Lake City, UT 84115

Salt Lake City Corporation
c/o Shawn E. Draney
PO Box 45000
Salt Lake City, UT 84145-5000

Salt Lake County Service Area #3
c/o David J. Smith
36 South State Street, Suite 1900
Salt Lake City, UT 84111

Friends of Alta
c/o Patrick A. Shea
252 South 1300 East Suite. A
Salt Lake City, UT 84102

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Alta Ski Lifts Company
c/o Onno Wieringa
PO Box 8007
Alta, UT 84092

Sandy City
c/o Patrick R. Casaday
10000 Centennial Parkway
Sandy, UT 84070-4148