

From: Betty Barela
To: Kaelyn Anfinson
Date: 9/1/2009 10:05 AM
Subject: Fwd: Re:Inquiry from Cecil Garland

Could you please get someone to respond directly to the constituent in the e-mail below referred by the Governor's Office. Make sure I get a copy of the response. Thanks!

Betty T. Barela
Utah Department of Natural Resources
801-538-7201
bettytbarela@utah.gov

Utah Department of Natural Resources' hours are 7:00 a.m. to 6:00 p.m.,
Monday thru Thursday and closed Friday, state and federal holidays.

>>> Constituent Services <constituentservices@utah.gov> 9/1/2009 7:59 AM >>>
Hi Betty,

This is for Mike Styler. Thanks, Gloria

Below is an inquiry which was received by the Governor's Office of Constituent Services on 09/01/2009. Please respond directly to the constituent and reply to this email with a copy of your response by 9/15/2009.

Cecil C Garland
P O Box 225 Or Callao 225
Pony Express Road
Wendover UT 84083

Email Address:

SUBJECT:
Email to LG Herbert and Mike Styler:

Director Styler ~ please see attached commentary from Cecil Garland (someone with whom I'm sure you're well acquainted) His arguments make sense to me, and I would appreciate your reaction.
Thanks
Margaret

----- Forwarded Message -----

From: "Annette Garland"
To: ltmdmd@comcast.net
Sent: Thursday, August 20, 2009 8:33:46 AM GMT -07:00 US/Canada Mountain
Subject: Cecil's thoughts about the Utah-Nevada Agreement

I've got this feeling that we are going to get the agreement between Utah and Nevada before too long. However, after giving some careful consideration to the subject, here are a few thoughts:

The agreement is certainly no cure-all panacea that it is held up to be. While at the same time there are some possibilities. In ten years, I'll be 93. While I've retained most of my mental facilities and can run at nearly full speed from the front door to the outhouse, still I can't help but wonder who'll be around to take our place. The agreement establishes for all time that Nevada is entitled to 50% of Snake Valley water. And that ain't so. It might be so if it were 150 years ago, and if Nevada had as much farm ground as Utah, and if the land area in both states were equal, and the people of both states went about clearing the land and using the water at the pace and rate. Then you could say that both states are entitled to equal shares of the water. That is certainly not the way it happened. Yet, Utah and Nevada are willing to sign an agreement to the effect that Nevada is entitled to half the water because some of the water runs out of the mountains of Nevada. What is ignored here is that 90% of the farming use of this water is in Utah and therefore that is where the long-established water rights are legally and rightfully located. The Utah-Nevada Agreement seems to recognize this fact only in a very casual and off-hand manner. While I consider this of the utmost importance. As sure as God made little green apples, as soon as SNWATER starts pumping, the water table will start falling and it won't be the farmers in Nevada who will be hurt because there are very few of them- if any. It will be the senior water rights holders who will

lose their ranches and farms in Utah and I have to go "hat-in-hand" to SNWATER for compensation- of course at their discretion. This puts SNWATER in the "cat-bird" seat to dictate to the people of Northern Nevada and Utah. In the meantime SNWATER will have held on to their well applications for a period of 30 years and since no one is sufficiently clairvoyant enough to predict what it will be like in the next ten years, Nevada will still have all of its options open and Utah will be asking, "What happened?"

Then there is the very likely probability that water comes from Lake Valley to Steptoe Valley to Spring Valley and then to Snake Valley (the lowest valley in the system) as part of the natural geological and hydrological interbasin flow. Does Nevada have the right to go upstream after 150 years of established water rights used by farming and ranching and take water that was destined to flow into Snake Valley?

Then there is the matter of Fish Springs whose water is in all probability not part of the Snake Valley aquifer. There is on the east side of the Fish Range a highly visible earthquake fault. This fault is visible in the late afternoon as the sun creates a shadow to accentuate the existence of the fault. This fault along the Fish Springs Range dives underneath the Great Salt Lake Desert. The exceedingly fine silt of the Salt Lake bed forces the water to the surface. Some of the springs are hot enough to scald a chicken. This water, which is ancient water, is obviously not part of the Snake Valley water system, yet it is included in our overall water allotment.

Cecil Garland

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 Cecil C.and Annette H.Garland
 Rafter Lazy C Ranch
 Callao 225 Pony Express Road
 Callao, Utah via Wendover 84083
 435-693-3132