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FILED DISTRICT COURT
Third Judicial District

JUL - 7 2009

By  SALT LAKE COUNTY
Deputy Clerk

IN THE THIRD JUDICIAL DISTRICT COURT OF SALT LAKE COUNTY
STATE OF UTAH

IN THE MATTER OF THE GENERAL
DETERMINATION OF THE RIGHTS TO THE
USE OF ALL THE WATER, BOTH SURFACE
AND UNDERGROUND, WITHIN THE
DRAINAGE AREA OF UTAH LAKE AND
JORDAN RIVER IN UTAH, SALT LAKE,
DAVIS, SUMMIT, WASATCH, SANPETE AND
JUAB COUNTIES;

STRAWBERRY WATER USERS
ASSOCIATION, a Utah nonprofit corporation; and
STRAWBERRY HIGH LINE CANAL
COMPANY, a Utah nonprofit corporation,

Petitioners,

vs.

UNITED STATES OF AMERICA;
DEPARTMENT OF THE INTERIOR;
BUREAU OF RECLAMATION,

Respondents.

**UNITED STATES' PROTESTS AND
OBJECTIONS TO PROPOSED
DETERMINATION**

Case No. 360057298 (51-1-1)

Spanish Fork Canyon No. 1

Judge Kate Toomey

The United States hereby objects to the State Engineer's Proposed Determination and Recommendation of the Rights to the Use of Return Flow from Water Imported from the Uinta Basin to Utah Valley by the Strawberry Valley Project, Utah County Division, Area No. 51, dated April 14, 2009 (the "Proposed Determination"):

1. Paragraph 4 of the Proposed Determination provides, "Tributary water that is used in exchange for SVP return flow may be subject to priority calls in the Utah Lake-Jordan River drainage." The United States objects to this provision as potentially vague and ambiguous and in need of clarification.

2. The United States further reserves the right to litigate any other objections raised by other parties.

DATED this 6th day of July, 2009.

RESPECTFULLY SUBMITTED,

JOHN C. CRUDEN,
Acting Assistant Attorney General



THOMAS K. SNODGRASS, Attorney
U.S. Department of Justice
Environment & Natural Resources Division

BRETT L. TOLMAN, United States Attorney
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Of Counsel:
Christopher Rich
Susannah Thomas
Office of the Solicitor
Department of the Interior

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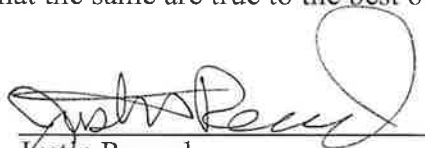
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WATER RIGHTS
SALT LAKE

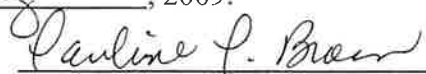
VERIFICATION

STATE of Utah)
) ss
COUNTY of Utah)

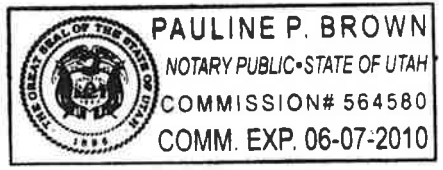
I, Justin Record, Water Rights Coordinator for the Provo (Utah) Area Office of the United States Bureau of Reclamation (the "Bureau"), being first duly sworn upon oath, depose and say: That I have read, know, and understand the contents of the foregoing United States' Protests and Objections to the State Engineer's Proposed Determination and Recommendation of the Rights to the Use of Return Flow from Water Imported from the Uinta Basin to Utah Valley by the Strawberry Valley Project, Utah County Division, Area No. 51, dated April 14, 2009, and that the same are true to the best of my knowledge, information, and belief.


Justin Record

Subscribed and sworn to me this 2nd day of July, 2009.



Notary Public residing in: Utah

My Commission Expires: 6-7-2010



CERTIFICATE OF SERVICE

I hereby certify that on July 7, 2009, I mailed a true copy of the foregoing, **UNITED STATES' PROTESTS AND OBJECTIONS TO PROPOSED DETERMINATION**, Case No. 360057298 (51-1-1), by depositing it in the United States Mail, first class, postage prepaid and addressed as follows:


Susan Middagh

Kent L. Jones, P.E.
Utah State Engineer
DIVISION OF WATER RIGHTS
1594 West North Temple, Suite 220
P.O. Box 146300
Salt Lake City, UT 84114-6300