



OLENE S. WALKER
Governor
GAYLE F. McKEACHNIE
Lieutenant Governor

State of Utah
DEPARTMENT OF NATURAL RESOURCES
Division of Water Rights

ROBERT L. MORGAN JERRY D. OLDS
Executive Director State Engineer/Division Director

January 18, 2005

TO THE WATER USERS OF POT CREEK

Re: Interstate Regulation of Pot Creek

For the past year or so, the States of Utah and Colorado have been meeting to discuss the interstate regulation of water on Pot Creek. Our purpose was to revise the Memorandum of Understanding (MOU) that was originally developed between the two states in the late 1950s.

We feel that the discussions between the two states have been very productive and have resulted in a much greater understanding of the water distribution and regulation issues on Pot Creek. The discussions were also successful in that we were able to draft a proposed MOU, a proposed Pot Creek Operations Manual, a combined water right administration list, and a procedure for accounting for and documenting the distribution of water on Pot Creek.

These documents have been reviewed by the relevant water rights officials of both states, including the state engineers, and we believe they represent the best method for regulating the flow of Pot Creek between the water users of Utah and Colorado.

Before the documents are signed and finalized by the state engineers, we are sending them to the water users of both states for their review and comment. Enclosed please find a copy of each of the documents listed above. Unfortunately, the map of the distribution system referred to in the documents is too large to reproduce and mail to each water user. If you would like to review the map, a review copy is available at the Vernal Regional Office of the Utah Division of Water Rights. The office is located in the State and County Building at 152 East 100 North in Vernal.

The MOU and the other documents will be discussed at the annual meeting which will be held on February 2, 2005 and comments will be taken at that time. Written comments will also be received until February 8, 2005. Written comments should be sent to the following address:

Lee H. Sim
Utah Division of Water Rights
P.O. Box 146300
Salt Lake City, Utah 84114-6300

Any written comments received will be forwarded to the relevant water rights staff in Utah and Colorado for consideration. Both states will discuss and agree upon any changes to be made in the MOU and related documents as a result of written comments or the discussion at the annual meeting. Once any necessary changes have been made in the MOU and the other documents, the state engineers of Utah and Colorado will sign it and a copy will be sent to the water users.

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Subject:

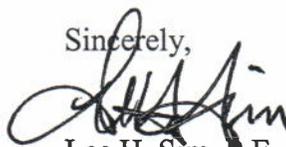
If you have any questions related to the MOU or the related documents prior to the annual meeting, please contact one of the following individuals:

Lee Sim
Assistant State Engineer
Utah Division of Water Rights
Phone: 801-538-7380
E-mail: LeeSim@utah.gov

Ken Knox
Assistant State Engineer
Colorado Division of Water Resources
Phone: 303-866-3581
E-mail: Ken.Knox@dwr.state.co.us

Bob Leake, P.E.
Regional Engineer
Utah Division of Water Rights
Phone: 435-781-5327
E-mail: BobLeake@utah.gov

Bob Plaska
Division Engineer
Colorado Division of Water Resources
Phone: 970-879-0272
E-mail: Bob.Plaska@dwr.state.co.us

Sincerely,

Lee H. Sim, P.E.
Assistant State Engineer

cc: Bob Leake
Ken Knox
Bob Plaska