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State of Utah

DEPARTMENT OF NATURAL RESOURCES

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Executive Director

Division of Water Rights

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State Engineer/Division Director

ORDER OF THE STATE ENGINEER In the Matter of Flooding Near Oakley, Utah

Oakley Town is located adjacent to and surrounding the Weber River in Summit County, Utah. Flooding of the town from the river has been a concern in the past. The unusual high mountain snow pack being experienced in the Spring, 2011 coupled with later than normal warm temperatures are increasing the possibility flooding could occur along many rivers in Utah this year. The Mayor of Oakley has expressed concern to the state engineer that water normally diverted from the Weber River into the Weber-Provo Canal just upstream of the town may not occur during the current high runoff season because the supplies are not necessary to meet the water delivery obligations of the canal owner, Provo River Water Users Association (PRWUA). PRWUA has water rights to divert water through the Weber-Provo Canal to the Provo River during high flows on the Weber River to serve PRWUA association demands in Utah and Salt Lake Counties. The water diverted is stored in Deer Creek Reservoir or Utah Lake on a space available basis.

The Weber River near Oakley stream gage located just upstream of Oakley Town and the Weber-Provo Canal diversion has been operated by the United States Geologic Survey (USGS) since 1904. The mean annual spring peak discharge computed from the period of record for the gage is 1090 cfs. The maximum flow ever recorded at the gage is approximately 4200 cfs. A flow of 2500 CFS has been exceeded only 14 times in the 106 years of record, four times in the last 30 years. The current recorded flow of the river is 1870 cfs. Flooding is forecast by the National Weather Service when the gage height reaches 9.2 Feet or about 2800 cfs.

The Weber-Provo Canal is capable of diverting about 700 cfs to be discharged into the Provo River drainage, reducing flooding impact on the Weber River but increasing potential on the Provo River system. Jordanelle Reservoir located immediately downstream of the Weber-Provo Canal outfall to the Provo River is currently 39,000 acft below maximum storage capacity and potentially could store some peak runoff if diverted through the Weber-Provo Canal.

The Utah State Engineer, pursuant to Utah Code Section 73-2-22 finds that the Weber River at Oakley will reach during the current year a level far enough above average and in excess of capacity that public safety is likely to be endangered or substantial property damage is likely to occur. Further, Utah Code Section 63G-7-301(5)(p) provides that the management of flood waters is a proper governmental function. It is therefore **ORDERED under the emergency powers of the State Engineer**, the Weber-Provo Canal be operated to reduce flows in the Weber River by diverting water up to the safe capacity of the canal when the Weber River near Oakley gage exceeds 2500 cfs during June and July 2011 provided such flows can be safely stored in Jordanelle Reservoir or released down the



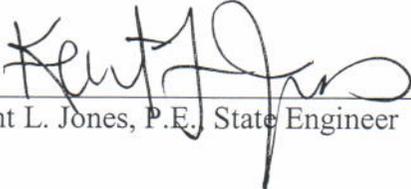
Page 2

Order of the State Engineer

Provo River and Utah Lake/Jordan River systems without causing unreasonable flood damage.

Any person affected by this order of the state engineer shall have the right to seek injunctive relief, including temporary restraining orders and temporary injunctions in district court of the county where that person resides. The provisions of Utah Code Sections 73-3-14 and 73-3-15 are not applicable to this order.

Dated this 22 day of June, 2011.


Kent L. Jones, P.E., State Engineer