



Central Utah Water Conservancy District

355 WEST UNIVERSITY PARKWAY, OREM, UTAH 84058-7303
TELEPHONE (801) 226-7100, FAX (801) 226-7107
TOLL FREE 1-800-281-7103
WEBSITE www.cuwcd.com

OFFICERS
E. Tim Doxey, President
R. Roscoe Garrett, Vice President

Don A. Christiansen, General Manager
Secretary/Treasurer

May 12, 2005

Sent Via Fax & Mail

Mr. Jerry D. Olds, P.E.
Utah State Engineer
Utah Division of Water Rights
1594 West North Temple, Ste. 200
Box 146300
Salt Lake City, UT 84114-6300

MB

RECEIVED
MAY 13 2005
WATER RIGHTS
SALT LAKE

Subject: Amendment to Central Utah Water Conservancy District's Request for Water Year 2005 Administration of CUP/CUWCD Water Rights Involving Utah Lake, Utah Lake Distribution Plan, and CUP Reservoir Storage on the Provo River (Water Right Nos. E3100, and E3101, and E4319)

Dear Jerry:

Thank you for discussing Utah Lake Operations with me yesterday. Pursuant to our conversation, hydrologic conditions involving Utah Lake have changed since April. At that time considering normal spring demand and precipitation patterns, we believed that utilization of the CUP/CUWCD Utah Lake water rights to lower the Utah Lake Distribution Plan Conservation Line would not result in the conversion of system storage held in upstream reservoirs to priority storage. We, therefore, requested in April to exercise the exchange provisions of our Utah Lake water rights instead of the conversion provisions.

Three things have occurred this spring that have resulted in changed conditions. They are: 1) a CUWCD Utah Lake level gage was discovered to be out of calibration resulting in inaccurate analysis of elevation readings as the lake started to rise (the gage situation is being corrected); 2) there are essentially no demands out of Utah Lake and out of the Provo River; and 3) we have experienced a tremendous amount of precipitation, which low demand and increased precipitation are anticipated to continue for several more days.

In the approval of exchange application Nos. E3100, E3101, and E4319, we agreed to use the rights to lower the conversion line if conversion was possible instead of requesting an exchange of these rights to Provo River upstream storage. The conversion provision allows others (PRWUA for Deer Creek Reservoir, Mona Reservoir, etc.), to convert system storage to priority storage ahead of the CUP conversion in Deer Creek and Jordanelle reservoirs. We believe that with the changed conditions, we and others will convert all system storage to priority storage if the conversion line is lowered using the CUP/CUWCD Utah Lake water rights.

BOARD OF TRUSTEES

Randy A. Brailsford
Brent Brotherson
David R. Cox

Randy Crozier
Evans Tim Doxey
R. Roscoe Garrett

Harley M. Gillman
Enid Greene
Claude R. Hicken

Roger W. Hicken
Michael H. Jensen
Rondal R. McKee

Gary D. Palmer
David R. Rasmussen
Stanley R. Smith

John L. West
Mark Wilson
Boyd Workman

Mr. Jerry D. Olds
May 12, 2005
Page 2

We, therefore, request an amendment to the administration of the water rights from that requested from your office earlier this year. Please use E3100, E3101, and E4319 to lower the conversion line.

Please note we believe there is about 100,000 acre-feet of CUP Strawberry Reservoir import water in Utah Lake. This will need to be taken into account in that the actual amount of system storage in Utah Lake is less than that indicated by the level of the lake, which is higher because of the import water. We request an accounting from your office of the actual amount of CUP import water in the lake.

We appreciate the conversations we have had over the last few days with Ben Anderson, Lee Simm, and John Mann from your staff as we have worked through issues associated with our operations.

Please contact me or Jared Hansen if you have any questions.

Sincerely yours,



Richard L. Tullis, P.E.
Assistant General Manager

RLT:dv

cc: Stan Roberts - Provo River Commissioner
John Mendenhall - Spanish Fork River Commissioner
Brad Gardner - Utah Lake/Jordan River Commissioner
Lee Simm - Utah Division of Water Rights
John Mann - Utah Division of Water Rights
Ben Anderson - Utah Division of Water Rights
Bruce Barrett - U.S. Bureau of Reclamation
Brent Rhees - U.S. Bureau of Reclamation
Ed Vidmar - U.S. Bureau of Reclamation
Andy Wood - U.S. Bureau of Reclamation
Jonathan Jones - U.S. Bureau of Reclamation
Ron Johnston - U.S. Department of Interior
Reed Murray - U.S. Department of Interior
David Ovard - Jordan Valley Water Conservancy District
John Carman - Metropolitan Water District of Salt Lake and Sandy