



# Central Utah Water Conservancy District

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October 28, 2003

**RECEIVED**

OCT 30 2003  
WATER RIGHTS  
SALT LAKE

Mr. James E. Riley, P.E.  
Regional Area Engineer  
Utah Division of Water Rights  
1594 West North Temple, Ste. 200  
Box 146300  
Salt Lake City, UT 84114-6300

Subject: Water Year 2003 Administration of Central Utah Project, Bonneville Unit, Utah Lake / Provo River Storage Exchanges under CUP Water Right Nos. A40523, A36639, A37093, E398, E4319 and Central Utah Water Conservancy District Water Right Nos. E3100 and E3101

Dear Jim:

The purpose of this letter is to comply with the November 1 deadline under the Utah Lake Distribution Plan, as amended, to report trans-basin imports, reservoir releases, and return flow credits claimed. Please note that to comply with the November 1 deadline, we are estimating values for October 2003, since those figures are not yet available. We assume that you will finalize the accounting once the October actual numbers are available.

The Provo River Commissioner, Stan Roberts, reported to the District that Provo River system storage was stored under CUP water right A40523 in Jordanelle and Deer Creek reservoirs during water year 2003 (November 1, 2002 through October 31, 2003) as shown on the next page. Please note that the amounts reported by Stan Roberts do not include 4,660 acre-feet of CUP system storage that was initially stored in Deer Creek Reservoir but then was released to Utah Lake for June sucker flows. Also, please note that the amounts shown have been adjusted by 10,000 acre-feet that was initially stored as CUP system storage, but reverted to Provo River Project system storage under water right No. A16642. This was done in accordance with Provo River Water Users Association's May 1 election as described under the Deer Creek Reservoir / Jordanelle Reservoir Operating Agreement. Once the 10,000 acre-feet water is assumed to be stored under A16642, PWRUA will need to convert or exchange the water to PRP priority storage using water rights available to it.

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**CUP System Storage Stored in Jordanelle and Deer Creek Reservoirs**

Time Period	Jordanelle	Deer Creek	Less	Total
	CUP Storage acre-feet	CUP Storage acre-feet	PRP A16642 acre-feet	
Nov	1,153	4,251	-5,404	0
Dec	8	4,691	-4,596	103
Jan	79	5,275	0	5,354
Feb	86	4,979	0	5,065
Mar	956	5,631	0	6,587
Apr	1,343	3,349	0	4,692
May	3,564	0	0	3,564
Jun	250	0	0	250
Jul	0	0	0	0
Aug	0	0	0	0
Sep	0	0	0	0
Oct (estimated)	0	1,500	0	1,500
<b>Total</b>	<b>7,439</b>	<b>29,676</b>	<b>-10,000</b>	<b>27,115</b>

Note: October data not yet available. October is a CUWCD estimate

The total amount of CUP water stored as system storage is 27,115 acre-feet.

We anticipated correctly, in accordance with our letter to you dated March 31, 2003, (copy attached), that none of the CUP system storage would be converted from system storage to priority storage under the Utah Lake Distribution Plan and would therefore need to be exchanged from CUP system storage to CUP priority storage. In our March 31st letter to you, we requested the exchange of the water to be made under various water rights. These rights are identified below. They included those tied to CUP import water, CUP import water return flows, and CUP and CUWCD water rights in Utah Lake. In addition to those, we believe that the return flow description described under water right A40523 should provide for return flows that could be available for exchange. We have not included a request to exchange that water in this letter. Nor have we included a request to obtain credit for direct conveyance of CUP system storage to Utah Lake for endangered species. We would like to meet with you to lay out our case in this regard for future administration of the CUP water rights.

Sources of Water for CUP exchange from Utah Lake to Provo River Upstream Storage:

- 1) We claim water that has been conveyed directly from Strawberry Reservoir to Utah Lake under A36639 for exchange under E398. A total of 27,840 acre-feet was conveyed to Utah Lake from November 1, 2002, through September 30, 2003. The amount anticipated to be conveyed during October 2003 is 1,563 acre-feet for a total of 29,403 acre-feet. We understand that this should be adjusted for incremental evaporation, even in current year accounting. Please let us know if this is incorrect. We claim 29,403 acre-feet as adjusted for incremental evaporation.

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- 2) We claim return flows from Strawberry Reservoir CUP irrigation deliveries made in prior years under A36639 to the south Utah County area for exchange under A37093 and E398 subject to incremental evaporation. We are waiting for your accounting as to the amount of this water available under this category as requested in our March 31st letter.
- 3) We claim return flows from Strawberry Reservoir CUP irrigation deliveries made in 2003 under A36639 to the south Utah County area for exchange under A37093 and E398. The amount of CUP water delivered for irrigation use in the south Utah County area for water year 2003 was 11,978 acre feet. We request that 40 percent of this amount, or 4,791 acre-feet, subject to incremental evaporation be credited to CUP water in Utah Lake under A37093 to be used for exchange under E398. We assume that this water is available for a water year 2003 exchange. In our accounting, we assumed for simplification that all return flow reaches the lake prior to November 1, 2003.

Note for No. 1, No. 2, and No. 3 above: For 2003 we requested in the March 31st letter to exchange all of the above first. We anticipate that we will do this differently for 2004. At our discretion, we may carry over import water to the next year subject to incremental evaporation. This request will be made and conveyed to you prior to April 1, 2004.

- 4) We claim water exchanged under E4319, which is a segregated portion of E3101. This is primary Utah Lake water in the amount of 7,900 acre-feet.
- 5) We claim exchanged under E3101. This is primary Utah Lake water in the amount of 16,862.4 acre-feet.
- 6) We claim water exchanged under E3100. This is secondary Utah Lake water in the amount of 57,073 acre-feet.

Please see the tables on the following page showing our calculations for No. 1 and No. 3 above including the calculations for incremental evaporation, which we estimate in the amount of 3,923 acre-feet. Please note that for simplification, we have assumed return flows reach the lake the same month the water is delivered to agricultural lands. The total amount (direct and return flow) conveyed to Utah Lake as adjusted for incremental evaporation is 30,271 acre-feet (includes estimate for October).

**CUP Import Water in Utah Lake**

Time Period	Stawberry Res. Direct CUP Release to Utah Lake acre-feet	Strawberry Res. CUP Ag. Delivery to S. Utah County acre-feet	40 Percent CUP Ag. Return Flow to Utah Lake acre-feet	Less Incremental Evaporation acre-feet	Total CUP Direct and Return Flow to Utah Lake acre-feet
Nov	4,110		0	-39	4,071
Dec	4,293		0	-31	4,262
Jan	4,300		0	-32	4,268
Feb	3,887		0	-38	3,849
Mar	4,306		0	-54	4,252
Apr	4,168		0	-111	4,057
May	2,776		0	-242	2,534
Jun		1,740	696	-351	345
Jul		4,586	1,834	-662	1,172
Aug		3,862	1,545	-956	589
Sep		1,790	716	-859	-143
Oct (estimated)	1,563		0	-548	1,015
<b>Total</b>	<b>29,403</b>	<b>11,978</b>	<b>4,791</b>	<b>-3,923</b>	<b>30,271</b>

Note: October data not yet available. October is a CUWCD estimate

**Incremental Evaporation from CUP Import Water in Utah Lake**

Time Period	EOM Elevation feet bel. Comp.	EOM Surface Area w/ CUP Import Water acres	EOM Surface Area w/o CUP Import Water acres	Incremental Increase in Surface Area acres	Incremental Evaporation kc=1.35 inches	Incremental Evaporation acre-feet
Nov	-4.99	80,201	80,036	166	2.80	39
Dec	-4.52	81,737	81,408	329	1.14	31
Jan	-4.37	82,221	81,729	493	0.77	32
Feb	-4.00	83,404	82,779	625	0.72	38
Mar	-3.50	84,979	84,219	760	0.85	54
Apr	-3.46	85,104	84,199	905	1.47	111
May	-3.72	84,289	83,279	1,010	2.88	242
Jun	-4.19	82,799	81,753	1,046	4.03	351
Jul	-5.12	79,772	78,624	1,148	6.92	662
Aug	-6.05	76,630	75,400	1,230	9.33	956
Sep	-6.56	74,850	73,607	1,243	8.30	859
Oct (estimated)	-6.58	74,779	73,512	1,267	5.19	548
<b>Total</b>					<b>44.40</b>	<b>3,923</b>

Note: October data not yet available. October is a CUWCD estimate

The total amount of water available for the exchange is shown in the table below.

**Water Available for CUP exchange to Deer Creek and Jordanelle Reservoirs**

Category	acre-feet
A36639 directly conveyed to Utah Lake for exchange under E398	29,403
A36639 return flow in south Utah County area for exchange under A37093 and E398	4,791
Less Incremental Evaporation Loss on the above	-3,923
E4319	7,900
E3101	16,862
E3100	57,073
Total	112,106

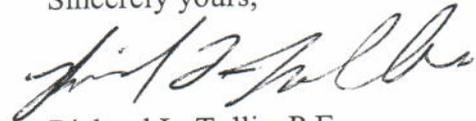
Note: October data not yet available. October is a CUWCD estimate

The amount available for the exchange as shown above is 112,106 acre-feet. Of this amount, 30,271 acre-feet is associated with import water from Strawberry Reservoir under water right Nos. A36639, A37093, and E398. 81,835 acre-feet is associated with water rights in Utah Lake under E4319, E3101, and E3100. Please note that we believe that the exchange of the Utah Lake water does not interfere with the prior Provo River Project water rights. This interference must be avoided as provisioned in the memorandum decisions for these Utah Lake exchanges. We believe that we have not interfered with the Provo River Project based on the fact that if the Utah Lake water under E4319, E3101, and E3100 had been used historically, then 81,835 acre-feet would have been delivered out of Utah Lake, and PRWUA would still not have been able to convert its system storage because of the low level of Utah Lake.

The 112,106 acre-feet available for the CUP exchange far exceeds the 27,115 acre-feet of CUP system storage stored in Deer Creek and Jordanelle reservoirs during the 2003 water year. **We are assuming that all of the CUP system storage has been exchanged to CUP priority storage.**

It is clear that the accounting of this water is complex. It is also clear that prompt and accurate accounting is very important to CUWCD as well as for other Provo River and Utah Lake water right holders. We would like to meet with you to discuss Provo River and Utah Lake accounting procedures. This will be helpful to us in order to plan our import releases and order of use of the water right we have for the Bonneville Unit. Please contact me if you have any questions.

Sincerely yours,



Richard L. Tullis, P.E.  
O&M Manager

RLT:dv

Enclosure

Mr. James E. Riley

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cc: Jerry Olds - State Engineer  
Stan Roberts - Provo River Commissioner  
John Mendenhall - Spanish Fork River Commissioner  
Brad Gardner - Utah Lake/Jordan River Commissioner  
John Swasey - Duchesne/Strawberry River Commissioner  
Ben Anderson - Utah Division of Water Rights  
Bruce Barrett - U.S. Bureau of Reclamation  
Brent Rhees - 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