

RE: Exchange Application No. 85 and 398

Exchange Application No. 85 was filed by Provo City Corporation and Metropolitan Water District of Provo on August 7, 1959 to exchange 8,000 acre-feet of water in Deer Creek Reservoir which the applicant is entitled to under a contract with the Provo River Water Users Association. Under the exchange application this quantity of water will be diverted from several specified sources in Provo Canyon and South Fork of Provo Canyon. Use of the water is to be for the municipal purposes of Provo City. The exchange application was approved August 12, 1960.

Approval of Exchange Application No. 85 was with the condition that it was to supersede several specific previous applications to appropriate water and exchange applications. These applications are the same ones described by the applicant in Exchange Application No. 85.

Exchange Application No. 398 was filed by the United States Bureau of Reclamation on March 18, 1971 to exchange a maximum of 300,000 acre-feet of water annually of water for the Central Utah Project under the following three applications: 1) 43-3822 (A36639) for waters of the Duchesne and Strawberry Rivers and their tributaries, a portion of which may be diverted into the Strawberry Reservoir Enlargement, and then to the Spanish Fork River and Utah Lake; 2) 55-4494 (A40523) to appropriate surplus waters of the Provo River for storage in Jordanelle/Deer Creek Reservoirs; 3) 55- 1875 (A37093) which regard the appropriation of waters resulting from the proposed diking of Provo and Goshen Bays, return flows of project water, and unappropriated waters in Utah Lake. The first two applications have been approved, but the last is unapproved. This exchange application was approved August 19, 1985.

Under Exchange Application No. 398 water will be released from Utah Lake to satisfy existing water rights from the Provo and Jordan Rivers. In lieu of this, water will be diverted/stored at Jordanelle Dam, Deer Creek Dam, Salt Lake Aqueduct, and Olmstead Diversion Dam for use under the Bonneville Unit of the Central Utah Project.

After a review of the two subject exchange applications the State Engineer is of the opinion that Exchange Application No. 85 was filed to allow Provo City to divert additional water from the Provo River drainage, over and above its other water rights, and to replace this diversion by releases from Deer Creek Reservoir under its contractual entitlement involving the Provo River Project in order to not impair downstream water rights. Exchange Application No. 398 relates to various features of the Central Utah Project and only affects Provo City as may be connected with the conjunctive operation of Jordanelle and Deer Creek Reservoirs or any commitments for delivery of water under the Central Utah Project.