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AREA CODE 801



May 6, 1971

Mr. Hubert C. Lambert
Utah State Engineer
State Capitol
Salt Lake City, Utah 84114

Re: Provo City Corporation - paragraph 4(c) Provo
River Decree

Dear Mr. Lambert:

We have been advised that Provo City has requested the Provo River Water Commissioner to deliver the 16.5 cfs of water from Provo River under paragraph 4(c) of the Provo River Decree for use at the Provo City steam-electric generating plant. In behalf of Provo River Water Users Association, Utah Lake Distributing Company and Provo Reservoir Water Users Company protest is hereby made against the granting of such request upon the following grounds:

1. That paragraph 4(c) of the Provo River Decree is the subject matter of litigation pending in the District Court of Utah County in Civil No. 34,701.
2. That the foregoing request constitutes a change in place and nature of use from the power uses set forth under paragraph 4(c) of said Provo River Decree and apparently a change in point of diversion, none of which can be done without filing a Change Application as required by Section 73-3-3 Utah Code Annotated 1953 and without otherwise complying with the provisions of Chapter 3 of Title 73, Utah Code Annotated 1953 relating to publication of notice, protests and the like.
3. That protestants are informed and believe that the granting of the foregoing request would impair their vested rights and the rights of others within the Provo River system and Utah Lake.

Accordingly, these protestants respectfully urge that the foregoing request of Provo City be denied and that it be directed

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to comply with the mandatory requirements of Chapter 3, Title 73
relating to Change Applications.

Very truly yours



Joseph Novak
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Association, Utah Lake Distributing
Company and Provo Reservoir Water
Users Company

JN:rh

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