

September 19, 1969

Mr. Hugh McAllister
Provo River Commissioner
81 East Center Street
Provo, Utah 84601

RE: Provo City decreed rights, Provo
River Decree, page 13, Paragraph
4 a, b,

Dear Hugh:

A review of the water rights of Provo City was made with Donald C. Norseth, District Engineer, pursuant to our telephone Item "c", page 13, of the Provo River Decree.

The following was concluded:

1. Paragraph 4 as set forth in the decree contains five separate items listed as a, b, c, d and e. We feel these can only be interpreted as separate rights under Paragraph 4 to the use of water.
2. The 16.50 second-ft of water, Item "c" under Paragraph 4, is interpreted as being a separate water right subject to the call of Provo City, although it is noted that this water was used both for irrigation by Provo City and for the generation of power by other identities.
3. That upon call of Provo City for delivery of this water we must deliver it until we are directed by the court to do otherwise. This, of course, would apply to the irrigation season.

Most of the water use in Utah County is being mapped under the current adjudication order of the court, and it is hoped that in the near future water user claims can be prepared that will assist us in water delivery on the Provo River. This would greatly clarify any questions there may be as to the status of the rights now in the Provo River Decree.

For your convenience in reviewing our letter, we have enclosed a copy of Page 13 of the Provo River Decree. If you run into any problems in the delivery of this water or receive any protests from other users on the Provo River, then let us know and we can then arrange a hearing to go over the facts with the respective parties.

Please let us know if there are any further questions or if you have any further difficulties in this matter.

Sincerely,

S. Bryce Montgomery
Hydrologic Engineer

SBM/jt

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cc: Mr. Richard Maxfield
Attorney for Provo City