



Southwest Resource Council

October 11, 1999

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P.O. Box 182
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State of Utah
Division of Water Rights
Kerry Carpenter
P.O. 506
Cedar City, Utah 84770-0506

RECEIVED

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WATER RIGHTS
CEDAR CITY

Dear Mr. Carpenter:

I came to Cedar City and reviewed the records on diversions of the Virgin River water. I could not find any records on what the Quail Creek Division is diverting from the river. I would like to know how much water is being diverted at the Quail Creek Diversion? How much water is released into the river from the Pah Tempe Power Plant? How much water is released from the Wayne Wilson Power plant below the earthen dike of the reservoir? How much water is released from Stratton Pond into the river? Daily figures would be best from 1985 when the Quail Creek Project was built.

The Washington County Water District (the District) has a 100 cfs non-consumptive water right (81-124, 65 cfs) and (81-110, 35 cfs) from the old LaVerkin Power Plant location. Can the District divert the entire river with water right (81-124, 65 cfs) around 6 miles of river downstream to Stratton pond or to the reservoir? Can the District if it only has high water right for the river divert the whole river daily all year long through its 30 cfs power plant at Pah Tempe and its Quail Lake #1 power plant on the pipeline to Stratton pond and to the reservoir? Can the District divert daily more than its non-consumptive 65 cfs water right at the Quail Creek Diversion and run its power plant Quail Lake #1 with a 139 cfs hydraulic capacity on pipeline constantly all year long?

When the District showed proof of high water right (81-1381) 37.5 cfs in 1993 it showed that this amount of water was now coming from the reservoir area. Does that mean the water has a constant flow at this rate every day all year long?

Can you change a high water right that only uses excess water in the spring into a primary water right that diverts all year long?

Can the District trade water rights with a canal company and create water-pooling agreements? Are these agreements on record at your office?

Sincerely,

Jane Whalen