

Response to Parsons, Behle & Latimer representing the Utah and Salt Lake Canal Company:

1. As discussed below, there will be additional meetings in which we will present in further detail the technical methodology used in formulating the figures used in the proposed distribution plan. I will briefly address your specific technical questions in this letter. The annual diversion entitlements are simply the irrigated acreage that was defined in the Welby Jacob memorandum decision multiplied by the irrigation duty. The irrigation duty recommended in the "Proposed Determination of Water Rights in Utah Lake and Jordan River Drainage Area" is 5 acre-feet per acre. The irrigated acreage as defined in the Welby Jacob memorandum decision for Water Rights No. 59-3499 was 9134.7 acres. The shares of stock acquired by the Salt Lake City Water Conservancy District from the Utah and Salt Lake Canal Company (Application # 59-5269 (a15003)) was evaluated in the Welby-Jacob memorandum decisions at 2071.0 acres. The remaining acreage under to the Utah and Salt Lake Canal Company Water Right No. 59-3499 is 7063.7 acres. Multiplying this value by the duty of 5 acre-feet per acre results in a diversion entitlement of 35,318.5 acre-feet, which is what was reported in the proposed distribution plan.

The allocation of the primary storage in Utah Lake among the primary users is in direct proportion to the relative total diversion entitlement each primary right holds. In other words, the Utah and Salt Lake Canal's diversion entitlement of 35,318.5 AF is 20.1% of the total diversion entitlement of 175,557 AF allocated to the primary rights. If Utah Lake drops below the Primary

storage capacity, the Utah and Salt Lake Canal Company will be allocated 20.1% of the remaining usable water.

2. The next revision of the distribution plan will clearly state that it is a distribution document.

3. I understand your concern with presenting a finalized distribution plan at this point in time. We realize that some flexibility may be required as the plan is implemented.

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