

1979  
MAY 10 1979

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF UTAH

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In the Matter of the Application :  
of Utah Power and Light Company :  
to Change the Point of Diversion :  
and Nature of Use of Water from :  
Huntington Creek and Cottonwood : SUPPLEMENT PROTEST  
Creek under Applications Nos. :  
79-58; 79-59; and 79-60. :

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REY LLOYD HATT, HATT BROTHERS and the FRANK J. HATT ESTATE, hereby supplement the Protest filed by Rey Lloyd Hatt in the above matter as to the three Applications above named, upon the following grounds:

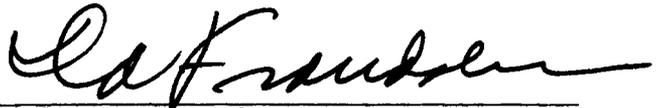
1. Protestants are the owners of an irrigation right in the Lower San Rafael area to appropriate approximately 1600 acre feet of water to irrigate 300 acres of land in what is commonly referred to as the Hatt Ranch located near Highway U-24 where it crosses the San Rafael River, plus approximately 100 acre feet for livestock watering. This water right has a priority of 1895.

2. The Applications of Utah Power and Light Company would interfere with Protestant's water rights and the diversion and change of use from the two creek which are part of the San Rafael River system would use and appropriate water that should be available for diversion to irrigate Protestants lands and water the stock. To grant said Applications would substantially interfere with the first and prior rights of Protestants.

3. Applicant purposes to use said water for coal fired generating plants and for mining and miscellaneous purposes. These are full consumptive uses and there would be no return flow to the San Rafael River Drainage. Before the appropriation by Utah Power and Light Company the water was used for irrigation purposes and there was return flow. The proposed appropriation by Utah Power and Light Company will decrease the flow of water on the San Rafael River and deteriorate the water quality that is available at Protstants point of diversion from the San Rafael River.

WHEREFORE, Protestants request that said Applications be denied.

FRANDSEN, KELLER AND JENSEN

BY   
Attorneys for Protestants

I delivered an original and copy of the foregoing Supplement Protest to the Price Area Office of the State Engineer this 10<sup>th</sup> day of May, 1979.

  
Duane A. Frandsen