



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED
Executive Director

Division of Water Rights

BOYD P. CLAYTON
State Engineer Division Director

December 23, 2019

Kevin Rein, State Engineer
Colorado Division of Water Resources
1313 Sherman St., Ste. 821
Denver, CO 80203

Re: Pot Creek Water Commissioner Appointment or Recommendation

Dear Mr. Rein:

In February 2005, Utah and Colorado state engineers entered an agreement to operate Pot Creek under the doctrine of prior appropriation, conforming to applicable state water law in both states. The agreement outlines the basic operating procedures, including the procedure of selecting a water commissioner, as outlined under Section II Item 4 in the agreement.

Mr. Michael McCarrell is presently serving as water commissioner. Mr. McCarrell requested we replace him in year 2020. We recently advertised the position. Mr. Digger Rasmussen is the only applicant who expressed a genuine interest in this position. The Committee (representing water users in both states) met on December 18, 2019, to discuss commissioner duties and the selection process. The Committee recommended Mr. Digger Rasmussen to be nominated/recommended as water commissioner for a 4-year term, 2020-2023, per the 2005 agreement. As the Utah State Engineer, I concur with their recommendation and unless you object I plan to appoint Mr. Rasmussen after he is recommended by the water users at the 2020 annual distribution meeting.

Per the 2005 agreement, Colorado may either concur with the appointment of Mr. Rasmussen, or recommend another person to serve as water commissioner. Please respond in writing with your decision on this matter at your earliest convenience.

Sincerely,

Boyd P. Clayton, P.E.
State Engineer

cc: Erin Light, Division Engineer, Colorado Division of Water Resources

