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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED  
*Executive Director*

### Division of Water Rights

KENT L. JONES  
*State Engineer/Division Director*

July 25, 2019

Dear Water User,

RE: Interim Rush Valley Policy for Applications to Appropriate and Change Applications

This letter serves as notice of a change in the State Engineer's policy for applications to appropriate and change applications in Rush Valley. The State Engineer's intention to modify water right policy was discussed in a November 8, 2018 public meeting. The public meeting was held to discuss the results of a groundwater study (SIR 2011-5068, hereafter referred to as the "study") conducted by the US Geological Survey (USGS). From this study, the following findings are pertinent to the policy proposed herein:

- The study found that Rush Valley is hydrologically separated into three subbasins, known as the Northern, Vernon and Southeastern areas.
- The study presented subbasin water budgets. These budgets suggest that there may be unappropriated water in the Northern area and, to a lesser extent, in the Vernon area. The study indicates that the Southeastern area is over-appropriated although actual uses do not currently exceed safe yield.
- The State Engineer's review of the study has identified discrepancies in the data used to prepare these budgets, in particular the estimated well withdrawal. However, the budgets and study illustrate water use trends and science that should be reflected in the State Engineer's water right policy for the valley.
- Additional data, particularly relating to estimated well withdrawal, will be needed to further refine water right policy, particularly in the Northern area.

The State Engineer believes these findings warrant a policy change in how applications to appropriate and change applications are processed. The following policy changes are hereby adopted by the State Engineer for use in the administration of water right applications in Rush Valley:

- Northern Rush Valley will remain limited to applications to appropriate of up to 4.73 acre-feet.
- The Vernon Area and Southeastern Rush Valley will be limited to applications to appropriate of 1.73 acre-feet for small domestic



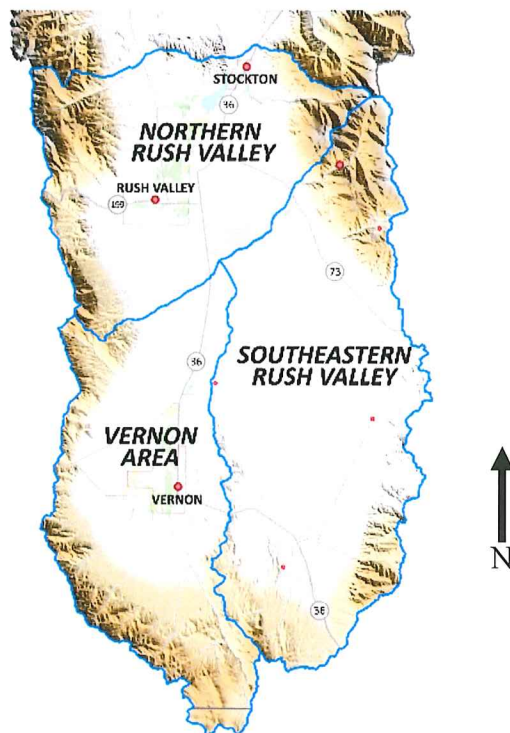
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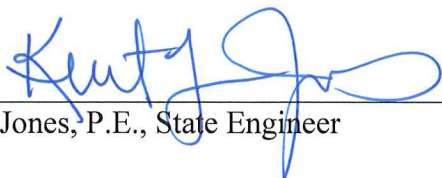
applications (i.e. 0.25 acres of irrigation, 10 equivalent livestock units and one equivalent domestic unit) or an equivalent amount of water for small commercial or institutional use.

- Whereas the valley has been found to be three hydrologically distinct subbasins, applications seeking to move a point of diversion from one subbasin to another will no longer be approved. The policy page for the area on the Division of Water Rights website has been updated to show the boundary of the subbasins that will be used in the State Engineer's decisions.
- Change applications within a subbasin will be considered favorably by the State Engineer where there is a demonstrable hydrologic connection between heretofore and hereafter points of diversion.

This policy is effective immediately. The State Engineer's office will continue to gather information with the objective of determining a more appropriate policy for applications to appropriate in Northern Rush Valley. The figure illustrates the policy boundary and subbasin delineation:



Approved,

  
Kent Jones, P.E., State Engineer

7-25-2019  
Date