



SALT LAKE  
COUNTY

PETER M. CORROON  
Salt Lake County Mayor

2001 South State Street  
Suite N-2100  
Salt Lake City, UT 84190-1020

801 / 468-2500  
801 / 468-3535 fax

January 6, 2010

Governor Gary Herbert  
State of Utah  
Utah State Capitol Complex  
350 North State Street, Suite 200  
Salt Lake City, Utah 84114-2220

Dear Governor Herbert,

I appreciate the opportunity to serve on the Snake Valley Advisory Committee.

While I do not support the proposed Utah-Nevada interstate groundwater agreement in its current draft form, I would support such an agreement if the current draft were amended to provide the items requested by the Millard County Commissioners (see their January 6<sup>th</sup> letter submitted herewith) plus the following items:

1. **Better documentation of actual water resources:** The estimates of safe annual yield in the proposed agreement are based on current *estimates* (BARCASS data and estimates) and not solid evidence sufficient to establish that unappropriated water actually exists to fulfill SNWA's applications.
2. **Standing:** Non-signatory stakeholders still have no way to ensure compliance with the provisions of the Management Agreement or the Environmental Monitoring and Management Agreement during the term of the agreement.
3. **Additional air quality monitors:** The air quality monitoring provisions in Appendix 3, provide for only one monitoring station located in the Snake Valley basin. The revisions to the agreement allow for additional monitoring stations only if the one station is insufficient to monitor an increase in pollution "*caused by SNWAs groundwater withdrawals* in the monitoring area". Proof of causation is a very high burden. In addition, the agreement provides for no monitoring stations along the Wasatch Front. The measure of impact along the Wasatch Front relies on existing monitoring stations designed for measuring motor vehicle impacts. The existing stations are not designed or located in areas to measure PM10 impacts from the project.

Governor Gary Herbert  
January 6, 2010  
Page 2

---

My advice is that you direct the Utah negotiating team to submit a counter-offer to Nevada which contains the foregoing items as well as the items advised by the Millard County Commissioners in their letter of the same date.

Sincerely,



---

Peter Corroon, Salt Lake County  
Mayor

Attachment: Millard County Letter,  
dated January 6, 2010

Commissioner Daron P. Smith

Commissioner Kathy Y. Walker

Commissioner Bart A. Whatcott

Clerk's Office - Fillmore  
765 South Highway 99  
Fillmore, Utah 84631-5504

(435) 743-6223 Phone  
(435) 743-6923 Fax

## COUNTY OF MILLARD



County Offices - Delta  
71 South 200 West  
P.O. Box 854  
Delta, Utah 84624

Phone (435) 864-1400  
Fax: (435) 864-1404

January 6, 2010

HAND DELIVERED

Governor Gary Herbert  
State of Utah  
Utah State Capitol Complex  
350 North State Street, Suite 200  
Salt Lake City, Utah 84114-2220

Re: Proposed Utah-Nevada Groundwater Agreement

Dear Governor Herbert,

We do not support the proposed Utah-Nevada interstate groundwater agreement in its current form. We would support an agreement if it were amended to adopt the following items:

- An interstate division of groundwater for the entire Great Salt Lake Desert regional groundwater flow system, as opposed to just the Snake Valley Basin.
- A groundwater division for the Snake Valley hydrographic basin (as well as each other hydrographic basin in the GSL regional flow system) which
  - (a) Is tied to groundwater discharge, historic use and recharge; and
  - (b) Makes allowance for impacts to Snake Valley groundwater caused by pumping in Spring Valley, until such impacts can be ruled out with sufficient years of pumping, spring flow and water table data.
- A guarantee Utah and Nevada water rights which have already been allocated post 1989 will be given a higher priority than future allocations in block 2, which the Utah or Nevada State Engineers may allocate.

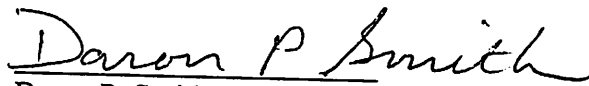
Governor Gary Herbert  
January 6, 2010  
Page 2

---

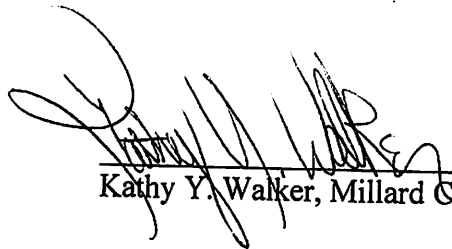
The estimates of safe annual yields are based on current BARCASS estimates and not solid evidence sufficient to establish un-appropriated water actually exists to fulfill SNWA's applications.

We appreciate your time and thank you for your willingness to consider our position on this issue. We will respect your decision and look forward to working with you in the future.

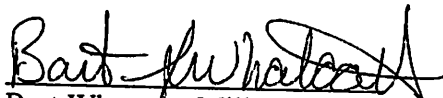
Sincerely,



Daron P. Smith, Millard County Commission Chair



Kathy Y. Walker, Millard County Commissioner



Bart Whatcott, Millard County Commissioner

cc.

Public Lands Office Director John Harja  
DNR Director Mike Styler