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Mr. Chairman and members of the subcommittee, my name is Robert McMullin, I serve as the President of the Strawberry Water Users Association (SWUA). I appreciate the opportunity to address you regarding a topic which is very important to SWUA and its shareholders.

Attached is a copy of my resume. My home, my friends and family, my orchards and my heart are in south Utah County, Utah.

SWUA is a nonprofit corporation organized in 1922 primarily for the purpose of contracting with the United States Bureau of Reclamation (Reclamation) to repay to the United States the remaining unpaid construction costs of the Strawberry Valley Project (SVP), and to provide a water supply to approximately 2,800 SWUA shareholders, including the south Utah County, Utah cities of Springville, Mapleton, Genola, Spanish Fork, Salem, and Payson. SWUA repaid to the United States all of the costs of construction of the SVP in 1974.

The SVP is a federal reclamation project constructed between 1906 and 1915. The SVP provides approximately 70,000 acre-feet (AF) of water to approximately 41,000 acres of land in south Utah County, Utah. Most lands served by the SVP have insufficient water.

Because south Utah County has always been a dry spot in a desert state, SWUA and its shareholders have been among the very first, and the very strongest, supporters of the Central Utah Project (CUP). The following quotes come from pages 16 to 19 of the history of the CUP found in the Final Environmental Impact Statement for the Bonneville Unit of the CUP (BUEIS):

Investigation work on the Central Utah Project began soon after the turn of the century under the Reclamation Act of 1902. The Strawberry Valley Project, with Strawberry Reservoir as its key feature, was a forerunner of a larger central Utah development soon to be envisioned. Strawberry Reservoir was completed in 1913, and as early as 1919 local municipal and agricultural water users and other leaders who recognized future water requirements in central Utah began considering the possibility of expanding the existing Strawberry Valley Project.

Investigations on obtaining additional water for the Strawberry Valley Project were begun in the spring of 1945. During the course of these studies, the plan was expanded to cover essentially the same area that was considered in the Colorado River -Great Basin Project, and the name Central Utah Project was given to the Proposal .

The Central Utah Water Conservancy District (CUWCD) was formed in 1964 as the local entity that would repay the local share of the CUP. Since the mid 1960s, south Utah County residents began paying property taxes to CUWCD to support the CUP. SWUA shareholders, many of them struggling family farmers, have been paying those taxes ever since. They have yet to see significant CUP benefits.

From the conception of the CUP it was intended that CUP facilities would replace certain SVP facilities. The SVP's Strawberry Dam was replaced by the CUP's Soldier Creek Dam. The SVP's Strawberry Reservoir was replaced by the CUP's Enlarged Strawberry Reservoir. The SVP's collection system was

replaced by the CUP's Strawberry Collection System. The SVP's Strawberry Tunnel was replaced in part by the CUP's Syar Tunnel.

From the very beginning it was clear that without the cooperation and support of SWUA and its shareholders there could be no CUP. Again, I quote from page 549 of the BUEIS:

If the necessary operating agreements for storage, exchange, and use of some existing facilities to convey the water to points of use could not be obtained, development of the Bonneville Unit would be terminated at the enlarged Strawberry Reservoir, with no water being exported to the Wasatch Front.

SWUA gave its support to the CUP, and allowed SVP facilities to be replaced by CUP facilities.

Prior to the enactment of the 1992 Central Utah Project Completion Act (CUPCA) it was anticipated that SWUA, CUWCD and the United States would be required to enter into an agreement for the operation and maintenance of CUP facilities for the benefit of both the SVP and the CUP. Such an agreement was signed by the United States, CUWCD and SWUA in 1991, one year before the agreement was mandated by Congress. I refer you to section §209 of CUPCA.

From the beginning of the CUP it was anticipated that south Utah County and east Juab County irrigators would be provided CUP water and water infrastructure. Section 202 of CUPCA, the section CUWCD seeks to amend, authorized \$150 Million for the construction of the "Irrigation and Drainage System," or in the alternative \$125 Million "for the construction of alternate features to deliver irrigation water to lands in the Utah Lake Drainage basin"

During the construction of Jordanelle Reservoir as part of the "M&I System," a feature of the Bonneville Unit of the CUP, south Utah and east Juab County residents were asked to agree to wait to receive CUP Bonneville Unit benefits dead last. A solemn promise was made by all levels of federal, state and local officials and leaders that the patience, cooperation, support and sacrifice of the south Utah County and east Juab County people would never be betrayed. They would never be left out of the CUP.

CUWCD has now said that it will take most of the CUP water promised to south Utah and east Juab Counties to Salt Lake County, outside the Utah Lake Drainage Basin. Frankly, SWUA could and would swallow a bitter pill and quietly accept the loss of the promised irrigation water if the majority of the authorized \$125 Million were used to provide water conservation and efficiency infrastructure to help south Utah and east Juab Counties make their very short water supply go farther. In the process, water quality, safety and environmental concerns could be addressed as well.

CUWCD is instead before Congress seeking authorization to use all of the \$125 Million originally intended "for the construction of alternate features to deliver irrigation water to lands in the Utah Lake Drainage basin" to deliver municipal water to Salt Lake County, outside the Utah Lake Drainage Basin. Subsection (c) of H.R. 4129 contains two changes to section 202(a)(1)(B) of CUPCA which accomplish this. First, the words "to lands in the Utah Lake Drainage basin" would be removed from section 202(a)(1)(B) to make it clear that the authorized funds could be used to deliver water outside the Utah Lake Drainage basin. Second, the proposed amendment would add the word "municipal" in front of the word "irrigation" to make it clear that the authorized funds would be spent on "municipal irrigation," not agricultural irrigation. These changes would completely exclude irrigators, and would in addition give CUWCD the discretion to exclude the Utah Lake Drainage basin, that is, south Utah and east Juab Counties, completely.

There are four principal reasons why you should reject CUWCD's efforts to deny south Utah and east Juab Counties CUP water and CUP water infrastructure:

First, Solemn promises should be kept. We respectfully submit that men and women of character require no further discussion of this point.

Second, section 206 of CUPCA contains a clear principal of equity that was intended to protect against unfair distributions of CUP benefits. Unfortunately, Congress was so certain that south Utah County would be provided CUP benefits that south Utah County falls through a crack in section 206. While the technical language of section 206 does not apply to south Utah County, the principals of equity embodied there should be applied to south Utah County.

Third, a key part of the CUP is the Strawberry/Jordanelle Exchange. Imported water must be released from the Enlarged Strawberry Reservoir to Utah Lake to satisfy priority water right holders who would otherwise be entitled to the waters of the Provo River. This makes it possible for CUWCD to lawfully store waters of the Provo River in Jordanelle Reservoir. Most of the CUP water used in the Utah Lake Drainage Basin will not be consumed, but rather will flow to Utah Lake, where it can be counted as satisfying a portion of the required Strawberry/Jordanelle exchange. This conserves an equal amount of water in the Enlarged Strawberry Reservoir which would otherwise have to be released to Utah Lake for the exchange. Literally, the CUP water used in the Utah Lake Drainage Basin can be used at least twice. By contrast, if that same water is instead used in Salt Lake County, outside the Utah Lake Drainage Basin, no portion of it returns to Utah Lake. It can be used only once. Use of the unallocated CUP water in the Utah Lake Drainage Basin is literally more than twice as efficient and productive, and results in a considerably greater CUP yield. We know of no better water reuse and conservation program.

Lastly, much of Salt Lake County is dense, urban or suburban sprawl. What is not already developed on that model appears to be largely planned on that model. More water means more of the same and greater endless densities. South Utah and east Juab Counties have only begun to plan and grow. With CUP water, both municipal and agricultural, south Utah and east Juab Counties have the opportunity to create small cities near preserved agricultural lands. We want a place for our children to grow and prosper here, not in a larger, more dense, Salt Lake Valley metropolis. We want to support and save some of south Utah County's agricultural heritage as well. With improved infrastructure, the CUP can serve the interests of all south Utah and east Juab County residents, farmer and city dweller alike. We ask for that opportunity.

Above all else, we respectfully ask that you keep the promises made to those who have supported the Bonneville Unit of the CUP, and waited for its benefits, for so many decades.

We thank you very much for your time and careful consideration.

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