

28 history of the relationship between the Federal Government and the States in the reclamation of
29 the arid lands of the Western States is both long and involved, but through it runs the consistent
30 thread of purposeful and continued deference to state water law by Congress";

31 WHEREAS, pursuant to Section 8 of the Reclamation Act of 1902, state law governs
32 the distribution of water from a reclamation project, except as expressly stated by Congress;

33 WHEREAS, water rights for reclamation projects were acquired pursuant to state law;

34 WHEREAS, Utah Code Section 73-1-3 states, "Beneficial use shall be the basis, the
35 measure and the limit of all rights to the use of water in this state";

36 WHEREAS, the future of the state of Utah depends upon the proper and economical
37 administration of water rights and the proper and economical distribution and use of water;

38 WHEREAS, water rights can be best and most economically administered by the water
39 users organizations that are subject to state law and most accountable to the local water users;

40 WHEREAS, the United States Congress has always anticipated that, upon repayment,
41 reclamation projects would be transferred to the water users organization responsible for
42 repayment;

43 WHEREAS, water users organizations in Utah have sought, are seeking, and will
44 continue to seek title transfer of water projects from Congress, including title to the Strawberry
45 Valley Project, the Moon Lake Project, and the Emery County Project;

46 WHEREAS, transferring title to the Strawberry Valley ~~H~~→ project ←~~H~~ , Moon Lake, and
Emery County

47 water projects to the appropriate water users organizations in Utah, including clearing the title
48 to water rights from the nominal interest of the United States, will facilitate the proper and
49 economical administration of water rights and the proper and economical distribution of water
50 as contemplated by the Legislature of the state of Utah and Congress; and

51 WHEREAS, in the past, proposed title transfer acts have presented an opportunity for
52 those not party to reclamation repayment contracts to attempt to impose terms and conditions
53 on a title transfer that were not contemplated when repayment contracts were signed:

54 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah calls
55 upon Utah's congressional delegation to support water users organizations that have repaid or
56 wish to repay reclamation projects to secure title transfer of project works and project water
57 rights, free from terms and conditions that were not contemplated at the time of the repayment
58 contracts.