

**PROGRAMMATIC AGREEMENT
BETWEEN
THE BUREAU OF RECLAMATION
AND
THE UTAH STATE HISTORIC PRESERVATION OFFICER
REGARDING
NATIONAL HISTORIC PRESERVATION ACT
MITIGATION FOR ADVERSE EFFECTS TO IRRIGATION INFRASTRUCTURE**

WHEREAS, this Programmatic Agreement (PA) is made under the authority of the National Historic Preservation Act (NHPA) (54 U.S.C. § 306108), commonly known as Section 106, and its implementing regulations found at 36 CFR §§ 800.6 and 800.14 which provide federal agencies with the authority to negotiate agreements to govern the resolution of adverse effects from multiple undertakings and to govern the resolution of adverse effects when effects on historic properties are similar and repetitive in scope; and

WHEREAS, the Bureau of Reclamation (Reclamation or Agency) and the Utah State Historic Preservation Office (SHPO) mutually desire and intend to streamline, simplify procedural requirements, reduce unnecessary paperwork, and emphasize the common goal of planning for and managing historic properties; and

WHEREAS, Reclamation and the Utah SHPO mutually desire and intend to facilitate research about and the creation of products relating to the history of irrigation, its infrastructure, and agriculture in Utah for the benefit of the public; and

WHEREAS, Reclamation invited the Advisory Council on Historic Preservation (ACHP) to participate as specified in 36 CFR § 800.6 and the ACHP did not respond after fifteen (15) days; and

WHEREAS, Reclamation invited over 1,000 federal, state, municipal, and local organizations to participate as Concurring Parties in the creation of this document (Appendix B); and the following organizations requested to participate in the development of this PA as consulting parties: Annabella Irrigation Canal Company, Bear River Canal Company, Big Hollow Irrigation Company, Bighorn Archaeological Consultants LLC, Blanding Irrigation Company, Brooklyn Irrigation Company, Bureau of Land Management (BLM): Utah State Office, Green River District BLM, Fillmore Field Office BLM, Price Field Office BLM, Carbon County Commission, Chambers Spring Irrigation, City of Holladay, Coffman Springs Irrigation Company, Cottonwood Creek Consolidated Irrigation Company, Dinsdale Water Company, Duchesne County, Intrepid Potash, McMinn Canal Company, Mill Pond Irrigation Company, Mitchell Hollow Irrigation Company, Moon Lake Water Users Association, Mound Fort Ditch #2, National Park Service (NPS): NPS Glen Canyon National Recreation Area, Rainbow Bridge National Monument, Pineview Water Systems, Sage Creek Canal Company, Springville Drainage District, Springville Irrigation Company, Uintah Central Canal Company, Utah Department of Transportation, Utah State Division of Oil, Gas, and Mining, Utah National Guard, Utah Professional Archaeological Council, Utah School and Institutional Trust Lands Administration, USDA Natural Resources Conservation Service: Utah State Office, USDA

Forest Service: Intermountain Region, Manti-La Sal National Forest, U.S. Army Corps of Engineers (USACE): Sacramento District, Utah Public Lands Policy Coordinating Office, Wash Creek Irrigation Company, Wood Spring Irrigation Company, and Woodruff Irrigating Company; and

WHEREAS, Reclamation invited the Indian tribes listed in Appendix C to participate in the development of this agreement as Concurring Parties, the Navajo Nation Heritage and Historic Preservation Department requested to review the document before execution, the Hopi Tribe requested continued consultation for inadvertent discoveries and adverse effects to prehistoric sites, and no other tribes responded with concerns or comments about the PA; and

NOW, THEREFORE, Reclamation and the Utah SHPO agree that Reclamation projects with adverse effects to historic irrigation infrastructure that qualify as historic properties shall be implemented in accordance with the following stipulations:

STIPULATIONS

Reclamation shall ensure that the following measures are carried out:

I. APPLICABILITY AND STANDARDS

- A. Inventory standards and determinations of eligibility shall include considerations of 36 CFR § 60.4, 36 CFR § 800.4, Secretary of the Interior Standards and Guidelines, and BLM 8110 Manual and Handbook (and its updates).
- B. Persons meeting the Secretary's Professional Qualification standards (48 FR 44738) shall apply the criteria of adverse effect according to 36 CFR § 800.5.
- C. Submissions to the SHPO shall be made by the Agency (Reclamation) Official.
- D. The Agency Official shall comply with 36 CFR § 800.4 to identify historic properties which may be of religious and cultural significance to Indian tribes. The Agency Official will consult with tribes on each undertaking under this PA regarding eligibility and effect regarding properties of religious and cultural significance.
- E. This PA applies to projects where Reclamation is the lead federal agency regardless of land status. However, this PA may not apply if a participating agency wishes to consult with SHPO.
- F. This PA applies to projects that have a determination of adverse effect to historic properties which include irrigation infrastructure with SHPO concurrence according to 36 CFR § 800.5.
- G. For each Reclamation project in Utah with adverse effects to irrigation infrastructure that are historic properties, the PA process outlined in Appendix A may be substituted for those outlined in 36 CFR § 800.6.
- H. Reclamation or a project proponent may opt to execute a standalone memorandum of agreement (MOA) for the resolution of adverse effects according to 36 CFR § 800.6 in place of the process outlined in Appendix A.

II. IDENTIFICATION AND EVALUATION OF HISTORIC PROPERTIES

- A. **Identification:** For all undertakings covered by this agreement, the Agency will follow the identification standards found in section I (Applicability and Standards A - H).
- B. **Evaluation:** The Agency Official will ensure that identified cultural resources within an undertaking's Area of Potential Effects (APE) are evaluated for eligibility per section I(A). The Agency will consult with the Utah SHPO and tribes prior to changing a previously recorded site's eligibility.

III. ANNUAL REPORTING AND COORDINATION COMMITMENTS

The Agency Official will submit an annual report to the Utah SHPO within the first quarter of each calendar year. The report will summarize the results of activities conducted under this PA during the previous calendar year.

Within thirty (30) calendar days of receiving the Agency's report, the Utah SHPO will respond and comment in writing regarding the report; and if necessary, the Agency Official will respond in writing to any SHPO comments.

IV. PUBLIC NOTIFICATION

Regardless of whether an undertaking meets the Utah SHPO mitigation stipulations outlined in this PA, the Agency remains committed to seeking and considering the views of the public when carrying out its NHPA historic properties mitigation responsibilities.

V. DISPUTE RESOLUTION PROCEDURES

Should any Signatory or Invited Signatory (signatory or signatories) object to implementation of this Agreement; the objecting signatory shall provide written notice to the other signatories of its objection with supporting justification. Upon receipt of such notice, Signatories and Invited Signatories shall have thirty (30) calendar days to resolve the objection. If Reclamation, acting as the lead federal agency for this Agreement, determines that the objection cannot be resolved, Reclamation shall forward all documentation relevant to the dispute to the ACHP. Within thirty (30) calendar days after receipt of all pertinent documentation, the ACHP shall either:

- A. Provide the Agency with its recommendation to resolve the dispute. Prior to reaching a final decision on the dispute, each signatory shall consider all timely advice provided by the ACHP and provide all other signatories with a written finding on the dispute prior to proceeding; or
- B. Not provide the Agency with its recommendation to resolve the dispute,

after which Reclamation shall make a final decision on the dispute, notify the other signatories in writing of its decision, and proceed accordingly. Reclamation's responsibility to carry out all other actions subject to this PA that are not the subject to the dispute remains unchanged.

VI. AMENDMENTS OF THE AGREEMENT

Any Signatory or Invited Signatory to this Agreement may request that it be amended, whereupon the Agency will consult with the other signatories to consider such amendment. Any amendment will be effective upon receipt of the signature of the last signatory. An amendment could include adding another agency as a Signatory, Invited Signatory, or Concurring Party.

VII. TERMINATION OF THE AGREEMENT

Any Signatory or Invited Signatory may terminate this Agreement by providing a concurrent ninety (90) calendar day notice to the other signatories, provided that during this period the Signatories and Invited Signatories attempt in good faith to find a collaborative resolution that would avoid terminating this Agreement. If the Agreement is terminated, each Agency will comply with Section 106 of the NHPA by following the implementing regulations at 36 CFR Part 800.


VIII. AGREEMENT DURATION

This Agreement shall be in effect for ten (10) years. This ten-year time period begins when the agreement is fully executed. After ten (10) years the Signatories, Invited Signatories, and Concurring Parties will consult to amend, extend, renew, or terminate this Agreement.


Execution of this Agreement and implementation of its terms are evidence that the Agency and Utah SHPO have taken into account the effects of undertakings on historic properties and afforded the ACHP an opportunity to comment.

IX. SIGNATORIES

Bureau of Reclamation, Provo Area Office

 Date 1/29/2020
Paul Christensen
Acting Area Manager

Utah State Historic Preservation Office

 Date 2/6/2020
Christopher Merritt
SHPO

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APPENDIX A

I. PA process for Reclamation undertakings with adverse effects to historic irrigation infrastructure that are historic properties

- A. Reclamation shall make a determination of effect according to 36 CFR § 800.4 and 36 CFR § 800.5. If the undertaking is found to have an adverse effect, as defined by the criteria of adverse effects in 36 CFR § 800.5(a)(1), on one or more historic properties that include irrigation infrastructure, and Reclamation and the proponent choose to follow the PA process rather than execute a MOA for the project, all of the following procedures will be followed and will serve as mitigation for the adverse effects to the historic property(ies).
- B. Prior to implementation of the undertaking, as part of the Section 106 inventory and historic property documentation effort, the project proponent shall ensure that an up-to-date Utah Archaeology Site Form (UASF) has been completed for all adversely affected resources, or if they are linear resources, for the segments that will be adversely affected by the undertaking. If new or updated UASF forms are necessary to completely document the resources within the APE, they shall be submitted with the Section 106 cultural inventory report for the undertaking. The UASFs will include Items 1 through 4 below and will be submitted to Reclamation which will then submit the forms to the SHPO. The person responsible for completion of items 1 through 4 shall meet the Secretary's Professional Qualifications standards (48 FR 44738). Items 1 through 4 are described below:
1. A description of the resource's history and descriptions of all extant features within the undertaking area.
 2. A GIS map showing the affected portions of the irrigation system and the location of each associated feature within the undertaking area.
 3. Photos of the resource and its associated features within the undertaking area. These photographs will meet all current photographic standards of the Utah Division of State History.
 4. Available select scanned historic documents that may include photographs, design drawings, newspaper articles, etc. associated with the site.

- C. If an undertaking is determined to have adverse effects on irrigation infrastructure that qualify as historic properties, the project proponent shall contribute 1% of the Reclamation undertaking funds up to \$10,000, for a project of typical scope and complexity, to the Utah Historic Irrigation Project Cooperative Agreement (Project, cooperative agreement, financial assistance agreement) between Utah State University (USU) and Reclamation. This amount shall not exceed \$10,000 per typical undertaking. If the undertaking is partially funded through a Reclamation grant, these funds will be withheld from the Reclamation grant portion of project funding and Reclamation shall ensure that the withheld funding is placed into their existing financial assistance agreement with USU for mitigation activities. The Project will use these funds to pay for research and public outreach products which would include historic contexts, online materials, curricula, or other projects. The subjects of all USU activities under this Project will be related to water, irrigation, and/or agriculture in Utah.
- D. Under this PA, for undertakings where Reclamation grant funding is the federal connection to the project, proponents (grant recipients) may decide to contribute private funding to USU for mitigation of adverse effects to irrigation-related historic properties in lieu of using a portion of Reclamation grant money. The amount as defined in this PA (1% of the Reclamation portion of grant up to \$10,000) will still apply and as with the Reclamation cooperative agreement, this funding contributed to USU will be used for research related to the history of water, irrigation, or agriculture in Utah. Completion of mitigation requirements will be subject to USU's acceptance of the private funding and the acceptance of a receipt for the funds by Reclamation and the SHPO. The receipt must be accepted before project construction can commence. USU will apply this funding to their Water Heritage Anthropological Project.
- E. For above items Appendix A. I. C. and D., if an undertaking is extraordinary in terms of size, complexity, or scope, but otherwise falls under the parameters of this PA, then Reclamation, the proponent (if not Reclamation), and the SHPO in collaboration, can decide to adjust the payment amount to exceed \$10,000 or choose to execute a MOA instead.
- F. Existing, executed Memoranda of Agreement for qualified undertakings pursuant to this PA can be renegotiated with representatives from original signatories to fall under this agreement's mitigation stipulations. Any mitigation stipulations completed for those existing MOAs will be considered valid and still count toward the mitigation of adverse effects for those undertakings. Reclamation shall ensure that consultation for all renegotiated MOAs will include a representative from each of the agreement's original Signatories, Invited Signatories, and Concurring Parties.

Appendix B

Agencies and Organizations Contacted for this Programmatic Agreement

Reclamation invited the following federal agencies to participate in the development of this Agreement: Army Corps of Engineers (Sacramento District), the Army Dugway Proving Ground, Bureau of Land Management (State and individual field offices), Forest Service: Intermountain Region (Region 4 and individual National Forests in Utah), Hill Air Force Base, National Park Service (individual parks in Utah), Natural Resources Conservation Service, and the Tooele Army Depot; and

Reclamation invited the following Utah State Agencies to participate in the development of this Agreement: Public Lands Policy Coordination Office, State of Utah, School and Institutional Trust Lands Administration, Utah National Guard, Utah Division of Wildlife Resources, Utah Division of Oil, Gas and Mining, Utah Department of Transportation; and Utah State Parks; and

Reclamation invited the following certified local governments (CLG) to participate in the development of this Agreement: Alpine CLG, American Fork CLG, Beaver City CLG, Beaver County CLG, Bluffdale CLG, Bountiful CLG, Bountiful Museum & Learning Center, Box Elder County CLG, Brigham City CLG, Brigham City Museum, Castle Dale CLG, Cache County CLG, Cedar City CLG, Centerfield CLG, Centerville CLG, Centerville Landmarks Commission, Clarkston CLG, Cottonwood Heights Historic Committee, Delta CLG, Draper CLG, Duchesne County CLG, Duchesne CLG, Emery CLG, Emery County Archives, Emery County Historic Preservation Commission, Enterprise CLG, Ephraim CLG, Eureka CLG, Farmington CLG, Farmington Historic Preservation Comm., Ferron CLG, Fillmore CLG, Grafton Heritage Partnership Project, Granary Art Center (Ephraim CLG), Grand County CLG, Grantsville CLG, Green River CLG, Green River Preservation Comm., Gunnison CLG, Hanksville CLG, Hanksville Town, Heber City CLG, Heber City Historic Preservation Commission, Helper CLG, Holladay CLG, Hurricane CLG, Hurricane Valley Heritage Park, Hyrum CLG, Kanab CLG, Layton CLG, Layton Community Development Dept., Leeds CLG, Lehi City CLG, Lindon Historic Preservation Commission, Logan CLG, Manti CLG, Mapleton CLG, Manti City CLG, Mendon CLG, Midvale CLG, Midway CLG, Morgan County CLG, Morgan County Historical Society, Moroni CLG, Mt. Pleasant CLG, Murray City Parks and Recreation, Murray History Advisory Board, Ogden City Landmarks Commission, Ogden Community Development Dept., Orem CLG, Panguitch CLG, Park City CLG, Payson CLG, Pleasant Grove CLG, Price CLG, Providence CLG, Provo City, Provo CLG, Richfield City, Richmond CLG, Riverton Historic Preservation Commission, Rockville CLG, Salina CLG, Salt Lake County CLG, Salt Lake City CLG, San Juan Heritage Council, San Juan County CLG, Sandy City, Sanpete County Historic Pres. Comm., Santa Clara City Council, Santa Clara Heritage Commission, SLC Historic Landmark Commission, Scipio CLG, South Jordan CLG, Spring City CLG, Springdale Historic Preservation Commission, Springdale CLG, Springville CLG, Springville Historical Society, St.

George CLG, Summit County CLG, Syracuse CLG, Taylorsville Historic Preservation Comm., Taylorsville CLG, Tooele County, Tooele City CLG, Tooele County Historic Preservation Commission, Tooele Valley Museum & Historic Park, Tooele Valley Railroad Museum, Torrey CLG, Tremonton CLG, Uintah County CLG, Uintah County Library, Utah County CLG, Virgin CLG, Washington CLG, Weber County CLG, Wellsville CLG, Historic Wendover Airfield Foundation, West Bountiful CLG, West Jordan CLG, and Willard CLG; and

Reclamation invited the following organizations to participate in the development of this Agreement: American West Heritage Center, Church History Library of the Church of Jesus Christ of Latter-Day Saints, Colorado Plateau Archaeological Alliance, Daughters of Utah Pioneers, Milford Archaeological Research Institute, National Society of the Sons of Utah Pioneers, National Trust for Historic Preservation, Nine Mile Canyon Coalition, Old Spanish Trail Association, Oregon-California Trails Association- Utah Crossroads, Southern Utah Wilderness Alliance, Tread Lightly, Utah Heritage Foundation, Utah Museums Association, Utah Professional Archaeological Council, Utah Rock Art Research Association, and the Utah Statewide Archaeological Society, and the Western Mining and Railroad Museum; and

Reclamation invited the following county commissions and councils to participate in the development of this Agreement: Beaver County Commission, Box Elder County Commission, Cache County Executive, Carbon County Commission, Daggett County Commission, Davis County Commission, Duchesne County Commission, Emery County Commission, Garfield County Commission, Grand County Council, Iron County Commission, Juab County Commission, Kane County Commission, Millard County Commission, Morgan County Council, Piute County Commission, Rich County Commission, Salt Lake County Council, San Juan County Commission, Sanpete County Commission, Sevier County Commission, Summit County Council, Tooele County Commission, Uintah County Commission, Utah County Commission, Wasatch County Council, Washington County Commission, Wayne County Commission, Weber County Commission; and

Reclamation invited the following water organizations to participate in the development of this Agreement: 2 Bird Investments LLC, 4800 West Water Users Association, Abraham Irrigation Company, Adobe Slough and Patterson Dam, Alan and Jane Curtis, Alan and Patricia Swenson, Allred Ditch Company, Alpine Conservation District, Alpine Irrigation Company, Anderson Bowman Ditch, Anderson-Felt Ditch Company, Angle Irrigation Company, Annabella Irrigation Canal Company, Antimony Bench Irrigation Company, Antimony Creek (Coyote & East Fork) Irrigation Company, Arta Ludlow, Ashley Central Irrigation Company, Aurora Irrigation Company, Austin Community Special Service District, Avery Irrigation Company, Bagnell Ditch Company, Ballard Reese Pump Company, Balzly Farms, Bar K Development, Barton Ditch Association, Barton Lefevre Tebbs Canal Company, Bauer Irrigation Corporation, BCR Enterprises Ltd, Bear Creek Irrigation Company, Inc., Bear Lake Special Service District (Culinary), Bear River Canal Company, Bear River Canal Company (Rich County), Bear River Pumping Company, Beaver Conservation District, Beaver and Shingle Creek Irrigation Company, Beaver City, Beaver Creek Irrigation & Reservoir Company, Beckwith Quinn-West Side Canal, Bedke K-Savy Ranch Inc., Bench Irrigation Company, Benson Bear Lake Irrigation Company, Benson Irrigation Company, Bernice Woofinden, Bertelsen Irrigation Company, Big Hollow Irrigation Company, Big Willow Irrigation Company, Big Cottonwood Pine Tree Water

Company Inc., Blacksmith Fork Conservation District, Blaine and Linda Evans, Blaine Evans Holding LLC, Blair/Smout 4 Mile Irrigation Company, Blanding Irrigation Company, Blue Mountain Irrigation Company, BNH Properties LLC, Booth Canal, Bothwell Cemetery and Water Corporation, Boulder Irrigation and Water Development Company, Boulder Farmstead Water Company, Boulderville Ditch Company, Bountiful Water Subconservancy District, Box Elder Creek Water Users Association, Boyer Ditch Company, Brad and Holly Ericksen, Bradford Acres Water Association, Brady Ditch Irrigation Company, Brett and Rebecca Davis, Bridgerland Water Company Inc. (Culinary), Brig Telford Pump, Brigham Big Field & Drainage Company, Brigham City North Field Water Company, Brighton & North Point Irrigation Company, Brooklyn Canal Company, Brookshire Irrigation Company, Brown-Williams Ditch Company, Browns Meadow Irrigation Association, Bruce and Bonnie Cass, Bryan Van Tassell, Bryner-Hansen Ditch Company, Bryner-Ploutz Ditch Company, Bullion Creek Irrigation Company, Bureau of Reclamation, Burnell and Elaine Anderson, Burrville Irrigation Company, Cache Highline Water Association, Caineville Canal Company, Callan Stone, Callao Irrigation Company, Cannonville Irrigation Company, Canyonlands Conservation District, Carbon Water Conservancy District, Carbon Canal Company, Carmen-Richins Farms, Castle Valley Irrigation Company, Cedar Valley Water Company LLC, Cedar Ridge Irrigation Company, Cedar Creek Irrigation Company, Cedar Fort Irrigation Company, Cedar Creek Tunnel Irrigation Company, Center Creek Irrigation Company, Center Point LLC, Central Enterprise Water Association, Central Canal & Irrigation Company, Central Irrigation Company, Central Utah Water Company 67, 68, Chad and Jeanie Kimber, Chad and Kristi Hansen, Chad and Tiffany Beus, Chalk Creek Narrows, Chalk Creek Irrigation Company, Chalk Creek Water Distributors, Chalk Creek Hoytsville Water Users Corporation, Chambers Spring Irrigation Company, Charles Story Ditch, Charleston Irrigation Company, Chester Irrigation Company, Chet and Karen Olsen, Christopher and Brittney Bartold, Circleville Drought Relief Pump Well, Circleville Irrigation Company, City Creek Reservoir & Irrigation Company, Clark Water Company, Clarkston Irrigation Company, Clayton Spring Irrigation Company, Cleon and Carol Nielson, Clear Creek Irrigation Canal Company, Clear Creek Ditch Company, Clover Flat Irrigation Company, Coal Creek Irrigation Company, Cobbley Ditch Company, Coffman Springs Irrigation Company, Cold Springs Dam & Irrigation Company, Cold Water Irrigation Company No. 2, College Irrigation Company, Cool Springs Mutual Water Company, Cottonwood Water Pipeline Company Inc., Cottonwood Water & Reservoir Company, Cottonwood Irrigation Company, Cottonwood Mutual Water Company, Cottonwood Creek Consolidated Irrigation Company, Cottonwood Gooseberry Irrigation Company, Cove River Irrigation Canal Company, Cove Water System Company, Coville Irrigation Company, Coyote & East Fork Irrigation Company, Craig and Jodie Allred, Craig Johansen, Creechley Mickesell Ditch, Crockett Avenue Irrigation and Distribution System, Inc., Croydon Irrigation Company, Cub River Irrigation Company, Curlew Irrigation Company, Current Creek Irrigation Company, D & K Fowler Enterprises LLC, D & L Swenson Farm LLC, Daggett Conservation District, Dallas Swenson, Daniel and Jeannie West, Daniel and Shannon Whitelock, Daniel Irrigation Company, Daniels, Winters & Michael Ditch Company, Darlene Young, Darol and Sharla Hawkins, Dave Moore Ditch Company, David and Jada Hansen, Davis Conservation District, Davis and Weber Counties Canal Company, Davona Henderson, Death Creek Irrigation Company, Deep Canyon Irrigation Company, Delta Conservation District, Dennis Davis, Dennis and Debra Smith, Dennis and Nadine Johnson, Deseret Lane & Livestock, Despain Ditch (North Despain Ditch & Extension), Deven Gass, Diamond Valley Acres Water Company, Dinsdale Irrigation Company, Dixie Conservation

District, DKJN LTD, Donald and Donna Hill, Donald and Mary Ann Ludlow, Dover Irrigation Company, Downs Ditch Water Company Inc., Draper Irrigation Company, Dry Gulch Irrigation Company, Duchesne County Water Conservancy District, Dump Road Canal Company, Dunn Canal Company, Dykins Canal, E & I Conservation District, East Porterville Canal Company, East Richville Ditch Company, East Panguitch Irrigation Company, East Warm Creek Irrigation and Canal Company, East Fielding Pumping & Distributing Company, East Extension Irrigation Company, East Branch Canal - Cub River Irrigation Company, East Bench Canal Company, East Wanship Irrigation Company (Mutual Association), East Milburn Irrigation Company, East Santaquin Irrigation Company, East Bench Irrigation Company, East Jordan Irrigation Company, East Side Canal Company, East River Bottom Water Company, East Side Irrigation Company, Edan Investment LC, Eden Irrigation Company, Eden Waterworks Company, Elberta Water Company, Elsinore Canal Company, Elsinore Bench Irrigation Company, Emmertson Irrigation Company, Enberg Canal, Enterprise and Stoddard Irrigation Company, Enterprise Reservoir and Canal Company, Extension Middle Chalk Creek Irrigation Company, Fairfield Irrigation Company (Culinary Shares), Fairview Birch Creek Irrigation Company, Farm Creek Irrigation Company, Farnsworth Canal & Reservoir Company, Ferron Canal & Reservoir Company, Fielding Ditch Company, Fillmore Water Users Association, Inc., First South Hyde Park Water Pipeline Company, Fish Lake Reservoir Company, Frank Beckstrom, Frank and Linda Scott, Flat Canyon Irrigation Company, Francis Water Works Company, Freedom Irrigation & Water Works Company, Freeway Irrigation Company, Fremont Irrigation Company, Fremont River Conservation District, Furnace Ditch, G.W.R.H. Irrigation Company, Gail and Alta Halvorsen, Gardners Canyon Irrigation, Garr Spring Water Company, Gary Gasper, Gary and Stephanie Galt, Gary and Suzanne Larson, Gay Ditch Company, Gerald Andersen, Gilbert Archuleta, Glen and Blanche Hawkins, Glen and Patricia Baadsgaard, Glendale Irrigation Company, Glenwood Irrigation Company, Glenwood Ditch Company, Gooseberry Creek Irrigation Company, Gorgoza Mutual Water Company, Gosalind Spring Water Works Company, Goshen Irrigation and Canal Company, Grand Conservation District, Grand Water & Sewer Service Agency, Grantsville Conservation District, Grantsville Irrigation Company, Graveyard Ditch Irrigation Company, Greater Mendon Irrigation Company, Green Ditch Water Company, Green River Canal Company, Green River Conservation District, Greenbelt Irrigation Company, Greendale Water Company, Greenwich Creek Water Users Association, Greenwich Water Works Company, Greenwood Irrigation Company, Greg Balzly, Grover Irrigation Company, Gunlock Irrigation Company, Gunnison City Canal 65, Gunnison Irrigation Company, Gunnison Fayette Canal, H. W. M. J. Ballard Pump Company, H.L.J. Ditch Company Mutual Association, Hall & Grafton Irrigation Company, Hanksville Canal Company, Hanksville Culinary Waterworks Company, Inc., Harper Irrigation Company, Harris Willis Irrigation Company, Harvest Irrigation Company, Hatch Farmstead Water Company, Heiner Morris Ditch Mutual Association, Heiner Pump, Henefer Irrigation Company 1, Henrieville Irrigation Company, Hidden Valley Irrigation Company, High Creek Culinary Water System, Inc., Highland Ditch Company, Highlands Water Company Inc., Hillcrest Water Users Corporation, Hilliard East Fork Canal Company, Hillsdale Ditch, Hobson & Bullock Ditch Company, Hodges Irrigation Company, The Corporation, Holden Irrigation Company, Holladay City, Holliday Water Company, Hollow Water Irrigation Company, Holmes Creek Irrigation Company, Holmes-Ferrin Irrigation Company, Hooper Irrigation Company, Hopkins Slough Irrigation, Hoyt Ditch Company, Huntington Estates Water Company, Huntington Cleveland Irrigation Company, Huntsville Irrigation Company, Hurricane Canal Company, Hy-Branch Water Company (Culinary), Hyde Park Irrigation Company,

Hyland Lake Irrigation Company, Inc., Hyrum Blacksmith Fork Irrigation Company, Hyrum Irrigation Company, Interstate Irrigation and Reservoir Company, Intrepid Potash - Wendover, LLC, Island Ditch Company 1, J.B. Ranch, JBW Investment Company LLC, James and Alesia Bischoff, James and La Ray Williams, James and Sherry Eaton, , Janice Lundell, Janice Nielsen, Jeff and Natalie Williams, Jerry and Bonnie Ferre, Jill Dedo, Joe Harris, Joes Valley Culinary Water Company, John and Ashlie Hughes, John and Annette Brimley, John Lindstrom, John and Torie Ludlow, John and Vesta Robertson, Johnson Park Pipeline Company, Johnson Park Water Company, Joseph Toone Estate, Joseph Irrigation Canal Company, Joseph and Cove Highline Canal Company, Juab Conservation District, Juab Lake Irrigation Company, Junction Middle Ditch Irrigation Company, Junction Irrigation Company, K & J Christensen Properties, Kaab LLC, Kanarra Field Reservoir and Irrigation Company, Kane County Conservation District, Kamas Valley Conservation District, Karen Anderson, Keith and Glenda Lyman, Ken Asay, Kennecott Utah Copper Corporation, Kenneth and Kathleen Kelsey, Kenneth and Lena Seng, Kevin and Annette Anderson, Kevin Creer, King Irrigation Company, King Meadow Ranches, Kirkbride Spring Irrigation, Koosharem Irrigation Company, La Sal Irrigation Company, Lake Shore Irrigation Company, Lake Fork Irrigation Company, Lake Fork Western Irrigation Company, Lakeside Irrigation Company, Laketown Irrigation Company, Lakeview Water Corporation, Larsen Family Farms, Last Chance Bench Water Users Association, Leamington Irrigation Company, Lee Thayn, Lefevre Barton and Tebbs Canal Company, Lehi Irrigation Company, Leisure Acres Water Company, Lenda Castleberry, Lesa Warren, Levan Irrigation Company, Line Creek Irrigation Company, Linealsam Water Company, Inc., Lion's Head Water Company, Little Mountain Irrigation Company, Little Farm Creek Irrigation Company, Little Cottonwood Brown Ditch Company, Little Creek Reservoir Company, Little Creek Field & Canal Company, Little Cottonwood Tanner Ditch Company, Littleton and Milton Irrigation Company, Loa Water Works Company (Reincorp), Loafer Water Users Association, Logan North Field Irrigation Company, Logan Hollow Irrigation Company, Logan Cow Pasture Water Company, Logan Island Irrigation Company, Logan Northwest Field Irrigation Company, Logan 1220 North Irrigation Company, Logan River and Blacksmith Fork Irrigation Company, Loss Creek Irrigation Company, Lost Creek Irrigation Company, Lower Meadowville Canal, Lower Millcreek Irrigation Company, Lucy Cornaby, Lynn and Beverly Youd, Lynn and Karma Woffinden, Lynndyl Irrigation Company, Lynne Irrigation Company, M & M Irrigation Company, Mack & Story Springs, Mabey Family Farm and Ranch LLC, Madsen Olsen Ditch Mutual Association, Main Creek Irrigation Company, Mammoth Canal & Irrigation Company, Manderfield Irrigation & Reservoir Company, Manti Willow Creek Irrigation Company, Maple Lake Farms, Mapleton Irrigation Company, Marble Creek Irrigation Company, Marilyn Twede, Marion Lower Ditch Company, Marriott Irrigation Company, Mark and Rose Wood, Marthanne Argyle, Matson Spring Irrigation Company, Mayfield Irrigation Company, Mayflower Water Distribution Company, McArthur Frandsen Ditch Company, McEwen Canal Company, McMinn Canal, Meacham-Nelson-Madsen Ditch Company, Meadow Irrigation Company of Fairview, Medallion Cove Water Users Association, Melanie Muirbrook, Melvin and Alice Ludlow, Melvin and Jayne West, Mendon Second North Pressurized Irrigation System, Inc., Mendon North Irrigation Ditch, Mendon South Canal Company, Mendon Central Pipeline Company, Mendon Central Irrigation Company, Meridian Irrigation & Reservoir Company, Meridian Ditch Company, Michael Holman, Michael and Lola Hansen, Michael and Nedra Swenson, Middle Chalk Creek Irrigation Company, Midway Irrigation Company, Mill Pond Irrigation Company, Mill Canal Water Company, Millard Conservation District, Millard County Water Conservancy

District, Millville Irrigation Company, Miner-Turpin Ditch, Mitchell Hollow Irrigation Company, Mitchell Springs Irrigation Company, Moab Irrigation Company, Monarch Canal & Reservoir Company, Monroe Creek Water Company, Monroe South Bend Canal Company, Monroe Irrigation Canal Company, Mont Williams, Montage Park Water Company, Inc., Monte Verde Water Association, Monte Vista Community & Water Company, Moon Lake Water Users, Moon Lake Water Users Association, Morgan Conservation District, Moore Ditch Company, Morning Glory Irrigation Association, Moroni Irrigation Company, Mosby Irrigation Company, Mound Fort Irrigation Company 6, Mound Fort Irrigation Company 2, Mound Fort Irrigation Company 1, Mount Air Water Corporation, Mountain View Estates 10 - 13 Water Users Association, Mountain Green Subdivision Water Association, Mountain View Estates Irrigation Company, Inc., Mountain Home Irrigation Company, Mountain Canal Irrigation Association, Mountain View Estates 1-8 Water Company, Mower Ditch Company of Fairview, Mt Loafer Irrigation Company, Mt Carmel Irrigation Company, Mt. View Special Service District, Muddy Creek Irrigation Company, Munk & Jorgenson Pump, Murray Irrigation Company, NAF Irrigation Company, Neil Anderson, Nephi South Water Conservancy Company, Nephi Irrigation Company, New Logan Hollow Canal Corporation, New Harmony Reservoir Irrigation Company, New Field & North Bench Irrigation Company, New Escalante Irrigation Company, New Fayette Irrigation Company, Newman Ditch Company, Newton Water Users Association, Nibley Blacksmith Fork Irrigation Company, Nordic Mountain Water Company, North Cache Conservation District, North Slaterville Irrigation Company, North Dry Creek Irrigation Company, North & Middle Canyon Irrigation & Livestock Company, North Jordan Irrigation Company, North Round Valley Canal Company, North Point Fur & Reclamation, North Bench Canal Company Mutual Association, North Hyde Park Irrigation Company, North Park Irrigation Company, North Joseph Water Works Company, North String Irrigation Company, North Ogden Irrigation Company, North Morgan Extension Ditch Company Mutual Association, North Ditch Irrigation Company, North Logan Hyde Park Smithfield Irrigation Company, North Creek Irrigation Company, North Field Irrigation Company, North Morgan Irrigation Company, North Elwood Ditch Company Inc., North Canyon Irrigation Company of Mona, North Narrows Irrigation Company, Northern Utah Conservation District, Northfield Irrigation Company, Northwest Irrigation Company, Northwest Field Irrigation Company, O'Berto Ditch, OA Farms Inc., Oak Creek Irrigation Company, Ogden River Water Users Association, Old Fort and Old Field Reservoir Irrigation Company, Orderville Irrigation Company, Otter Creek Reservoir Company, Ouray Park Irrigation Company, PacifiCorp, Pahvant Development Company, Paradise Irrigation & Reservoir Company, Parowan West Fields Irrigation, Inc., Patrick Butterfield, Payson Fruit Growers, Paul and Barbara Anderson, Pentz & Smith Ditch Company Mutual Association, Peoa South Bench Canal & Irrigation Company, Perry Irrigation Company, Perry Ditch Company, Peterson Creek Ditch, Pine Mountains Mutual Water Company, Pine Canyon Ditch Company Inc., Pine Valley Mountain Farms Water Company, Pine Plateau Water System, Pine Creek Ranch Inc., Pine Creek Irrigation, Pinto Irrigation Company, Pioneer Water Company No. 2, Pioneer Ditch Company Number 1, Pioneer Irrigation Canal Company, Pioneer Land & Irrigation Company, Pioneer Irrigation, Pioneer Canal Company, Piute County Conservation District, Piute Reservoir & Irrigation Company, Plain City Irrigation Company, Porcupine Highline Canal Company, Preese-Poulsen-Baird Ditch, Price River Conservation District, Price River Water Users Association, Price River Water Improvement District (Municipal Water), Price Water Company, Price-Wellington Control Board, Prior Land LLC, Providence Logan Irrigation Company,

Providence Pioneer Irrigation Company, Providence Blacksmith Fork Irrigation Company, Provo Bench Canal and Irrigation Company, Provo Reservoir Water Users, Pulsipher South Fork River Ditch, Putnam Ranch, Ralph and Marcia Thomas, Randolph Irrigation Company, Randolph & Woodruff Extension Canal, Randolph & Woodruff Canal Company, Randolph & Sage Creek Canal Company, Redmond Irrigation Company, RFM Real Estate, Rice & Jim Canyon Irrigation Company, Rich Conservation District, Richard and Sally Edwards, Richard Ditch Irrigation Company, Richards Irrigation Company, Richardson & Cowan Ditch Company, Richfield Irrigation Canal Company, Richfield City Springs, Richmond Irrigation Company, Richville Irrigation and Canal Company, Richville Pipeline Company, River Irrigation Company, Riverdale Bench Canal Company, Riverside Country Club, Road Creek Water Users Association, Robert and Jody Memmott, Robinson Brothers Ditch Company, Rodney and Irena Larsen, Rock Dam Irrigation Company, Rockville Town Ditch Company, Rocky Ford Canal Company Inc., Rocky Point Irrigation Company, Rocky Ford Irrigation Company, Rodeback Irrigation Company, Rodger and Rhonda Grange, Roger Argyle, Rosebud Irrigation Company, Ronald and Colleen Ludlow, Ronald and Geraldine Jensen, Rudy Reclamation Club, Russel and Eldora Gines, Russel and Rita Felt, Ryan Creer and Ruth Dunnford, Sage Bottom Ditch Company, Salem Pond Company, Salem Freeway Properties, Salina Creek Irrigation Company, Salt Lake City Public Utilities, Salt Lake Conservation District, Salt Lake Public Utilities, Samaria Lake Irrigation Company, San Juan Water Conservancy District, Sanpete Conservation District, San Rafael Conservation District, Sandy Irrigation Company, Scipio Irrigation Company, Scofield Reservoir Campsite Inc. (Culinary), Scott and Jennifer Elliot, Scott and Susan Beckstrom, Second South Bench Reservoir and Irrigation Company, Second Northwest Canal & Irrigation Company, Settlement Ditch Mutual Association, Seventh Ward Irrigation Company, Sevier County Conservation District, Sevier Valley Canal Company, Shaun and Michelle Evans, Sheep Ditch Irrigation Company/Devils Pass Irrigation Company, Shambip Conservation District, Sheep Creek Irrigation Company, Sill Adams Ditch Company Inc., Silver Creek Reservoir Company, Skoots Water Users Association, Skyline Irrigation Company, Smart Lyle J Family Limited Partnership, Smith Creek Irrigation Company Mutual Association, Smith Ditch Company, Smith and Morehouse Reservoir Company, Smithfield North Bench Ditch Company, Smithfield West Bench Irrigation Company, Smithfield Irrigation Company, Soldier Canyon Water Company, South Boulderville Ditch Company, South Line Creek Ditch, South Round Valley Canal Company, South and West Field Irrigation Company, South Weber Irrigation Company, South Slaterville Irrigation Company, South Kamas Irrigation Company, South Willard Water Company Inc., South Cache Water Users Association, South Jordan Canal Company, South New Harmony Canal Company, South Morgan Water Ditch Company, Southcreek Primary A Water Users, Southwest Field Irrigation Company, Spring Creek Cache Irrigation Company, Spring Haven Farms LLC, Spring Glen Canal Company, Spring Hill Irrigation Company, Spring Glen Water Company, Spring Creek Water Company, Spring Creek Irrigation Company (Utah County), Spring Creek Water Users Inc., Spring Mountain Mutual Water Company Inc., Springville Livestock Association, Springville Irrigation Company, St. George Valley Irrigation Company, St. John Irrigation Company, Starlite Water Company, Steve Peterson, Steven and Debra Gardner, Steven and Michelle Bearnson, Stowell Mutual Water & Canal Company, Strawberry High Line Canal Company, Strawberry Water Users Association, Sumison Farms LLC, Summit County Conservation District, Summit Water Distribution Company, Summit Irrigation Stock Company, Swan Canal Company, Swiss Alpine Water Company, T.N. Dodd Irrigation Company, Tabby Irrigation Company, Ted and Darlene Hansen,

Ted and Sharleen Ahlin, Temple Canal Company, Teri Bryan, Thatcher Irrigation Company, Three Mile Creek Irrigation & Water Company, Tim and Liz Jones, Timp-Nebo Conservation District, Timpanogos Canal Company, Timpanogos Irrigation Company, Torrey Irrigation Company, Inc., Trent and Deborah Muhlestein, Tropic & East Fork Irrigation Company, Twin Creek Irrigation Company, Twin M Conservation District, Uinta Drive Water Users Association, Uintah Drive Water Users Association, Uintah Water Conservancy District, Uintah Central Canal Company, Uintah Mountain Stream Irrigation Company, Uintah Basin Irrigation Company, Uintah River Irrigation Company, Ukon Water Company (Culinary & Irrigation), Union Field Irrigation Company, Upper Clover Irrigation Company, Upper Canal Irrigation Company, Upper Ellison Ditch, Upper Chalk Creek Irrigation Company, Upper Sevier Conservation District, Utah and Salt Lake Canal Company, Venice Pumping Company, Vermillion Extension Canal & Irrigation Company, Vernon Irrigation Company, Veyo Irrigation Company, Vincent Family Ranch, Virgin Canal Company, Virgin Irrigation Company, Walker Ditch Company, Wallace Groves Water Association, Wallsburg Irrigation Company, Walter and Ruth Stewart, Wanship Irrigation Company 2, Wanship Cottage Water Company, Warm Springs Irrigation and Power Company, Warren Irrigation Company, Wasatch Conservation District, Wasatch Resort Water Company, Wash Creek Irrigation Company, Washington Irrigation Company, Webb Well Water Users, Weber Basin Water Conservancy District, Weber Canal Company, Welby Jacob Water Users Company, Welch Field Ditch Irrigation Company, Wellington Canal Company, Wells Irrigation Canal Company, Wellsville North Field Irrigation Company, Wellsville City Irrigation Company, Wellsville East Field Irrigation and Canal Company, Wellsville-Mendon Conservancy District (Canal), West Box Elder Soil Conservation District, West Cache Irrigation Company, West Canyon, West Porterville Pipe Line Company, West Enterprise Water Association, West Point Irrigation Company, West Porterville Irrigation Company, West Porterville Canal Company, West Side Irrigation Company, West Corinne Water Company, West Panguitch Irrigation and Reservoir Company, Western Irrigation Company, Westfield Canal & Irrigation Company, Westview Irrigation Company, Whispering Pines Water Company, White Ditch Irrigation Company, Wilburg, Olsen, Swayse, and Pressup, Willow Ditch Company, Willow Bend Irrigation Company, Willow Creek Irrigation Company, Wilson Irrigation Company, Wolf Creek Sewer and Water Improvements District, Wolf Creek Irrigation Company, Wood Springs Irrigation Company, Wooden Shoe Ditch Company, Woodland Hills Mutual Water Company, Woodruff Narrows Reservoir Company, Woodruff Irrigating Company, Woods Creek Ditch & Reservoir Company, Wooley Ditch, Yale Johnson, Yellow Pine Water Company, and the Zeeman Poultry Ranch Inc.

Appendix C

Tribal Governments Contacted for this Programmatic Agreement

Reclamation invited the following Tribal governments to participate in the development of this Agreement: Confederated Tribes of the Goshute Reservation, Nevada and Utah, Eastern Shoshone Tribe of the Wind River Reservation, Wyoming, Hopi Tribe of Arizona, Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona, Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada, Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada, Navajo Nation, Arizona, New Mexico and Utah, Northwestern Band of Shoshoni Nation, Paiute Indian Tribe of Utah, Shoshone-Bannock Tribes of the Fort Hall Reservation, Skull Valley Band of Goshute Indians of Utah, Ute Indian Tribe of the Uintah and Ouray Reservation, Utah, Ute Mountain Ute Tribe, and the Zuni Tribe of the Zuni Reservation, New Mexico.