



December 3, 2015

Eric Millis, Director
Utah Division of Water Resources
1594 West North Temple Ste. 310
Salt Lake City, Utah 84114-6201

Dear Mr. Millis:

On October 28, 2015 we sent you an email asking for a copy of the Division's repayment plan for the Lake Powell Pipeline. After more than 30 days, we are disappointed we have not received a response.

Statements made to the media by members of your agency implied the Division of Water Resources and/or the Washington County Water District possess a repayment plan to explain how the pre-construction and construction costs for the project will be repaid with interest, as is required by law. Some have claimed this repayment schedule is somehow "proprietary," which we cannot comprehend.

Your office has made disparaging remarks about the financial analysis conducted by University economists regarding the debt for the proposed Lake Powell Pipeline but has refused to provide a copy of your repayment schedule. Utah taxpayers deserve to know whether they will be repaid for the billions of dollars in costs and interest your agency is proposing to spend of their money. Washington County residents deserve to know by how much water rates, impact fees and property taxes must be increased to repay the debt your agency is proposing to require of them. Do you disagree with these statements?

After spending \$27 million of the public's tax money studying this proposed pipeline, we believe the public deserves to see the repayment plan you claim to possess explaining how the billions you seek to spend of their money will be repaid to them with interest.

Therefore, in accordance with the Government Records and Management Act ("GRAMA"), U.C.A. 63-2-204 et seq., I hereby request that you and any other custodian of public records provide all documentation of the Division of Water Resources' repayment plan for the proposed Lake Powell Pipeline. We simply seek a schedule of payments referenced widely by you, your staff and the entity receiving this loan for the Lake Powell Pipeline from the Utah taxpayer.

If a repayment plan does not exist, in contradiction to your media statements, please let us know what the proprietary document is that you referred to in this discussion, and explain what factor(s) makes a schedule of debt payments proprietary.

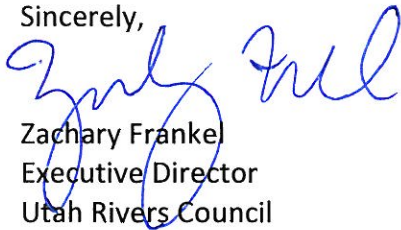
The terms "custodian," "public records," "writings," and "correspondence" are used in this letter as they are defined in the Act. In the event that you or the official custodian of the requested records determines that a particular piece of data or document is not a public record or that inspection and copying need not or may not be allowed under the terms of the GRAMA, please identify the specific data item or document at issue and state in writing the grounds for the decision to deny access for inspection and copying.

Please provide your response within ten business days after receipt of the request or five days if you determine that the request falls within the expedited public interest timeframe pursuant to U.C.A. § 63-204(3)(a). In the event that the custodian finds that the agency does not maintain the particular record please notify us where it may be located as provided by U.C.A. § 63-2-204(3)(a)(i-iii).

I would be happy to provide any clarification that may be necessary to enable you to provide an accurate and timely response to this very important request.

Please give me a call if you would like to discuss any aspect of this letter.

Sincerely,



Zachary Franke
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