



GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Water Rights

KENT L. JONES
State Engineer/Division Director

October 19, 2018

ADDITIONAL INFORMATION REGARDING
Water Right Administrative Hearing for
Application to Appropriate 41-3747 (A81080) – Water Horse Resources, LLC
9: 00 am Wednesday, November 7, 2018
Utah Department of Natural Resources, Room 1050

Dear Applicant and Timely Protestants:

This letter provides information regarding the above-referenced water right hearing. The hearing will be conducted in accordance with Utah Code Section 63G-4-203 and Utah Administrative Rule R655-6. Pursuant to R655-6-2, the Division of Water Rights hereby designates the hearing as informal.

Under Utah Code Section 73-3a, the hearing is an administrative proceeding to allow the State Engineer to collect information and scientific data to evaluate this application. The hearing is not the sole basis from which a decision will be made. The hearing is an opportunity for the parties to bring to the State Engineer's attention information relevant to the decision-making criteria (73-3a-108).

The hearing may take the entire day (a 45-minute lunch break will be included). Time-limits for participation will be enforced. The applicant will present first and spend up to 40 minutes to describe and support the application. Each timely protestant will then be allowed up to 15 minutes to explain concerns. At the hearing's conclusion the applicant will be given an additional 30 minutes to summarize and address concerns protestants may have raised. Regarding the time-limits, please be aware of statements made by all parties. It is not necessary for a protestant to restate previously-presented information. Instead, a party may express agreement with that information as appropriate. Recognizing that anticipating and answering questions that may arise may be beyond the parties ability to control, there will be some flexibility in the scheduled times to accommodate that process.

As you prepare for the hearing please do so with these time-limits in mind. The hearing will be recorded, both audio and video, and the recordings will be attached to the water right file. Our facility set-up allows for PowerPoint presentations. If you plan to use one, please arrive early and bring your presentation on a detachable drive so that we can load it onto a Division of Water Rights lap-top computer for presentation and later

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inclusion on the water right file. Exhibits may be submitted. If you plan to use one, please bring a copy which can be placed on the water rights file.

If you have questions, please contact me directly at 801-537-3119.

Sincerely,



Teresa Wilhelmsen, P.E.

Assistant State Engineer, Applications and Records

cc: (applicant and protestants)

Applicant:

Water Horse Resources, LLC
ATTN: Aaron P. Million, Managing
Member
1436 West Oak Street Ft.
Collins, Colorado 80521

Stoel Rives, LLP

ATTN: Richard R. Hall, Agent
201 S Main Street, Suite 1100
Salt Lake City, UT 84111

Protestants:

Department of the Interior
Bureau of Land Management
National Park Service
U.S. Fish and Wildlife Service
c/o James E. Karkut
125 South State Street, Suite 6201
Salt Lake City, UT 84138

Bureau of Reclamation
302 East 1860 South
Provo, Utah 84606

Center for Biological Diversity
c/o Lisa Belenky, Senior Attorney
1212 Broadway, Suite 800
Oakland, CA 94612

Central Utah Water Conservancy District
c/o Steven E. Clyde, Attorney
201 South Main Street, 13th Floor
Salt Lake City UT 84111

Department of the Interior CUPCA Office
c/o Lee Baxter
302 East 1860 South
Provo, Utah 84606

Division of Water Resources
c/o Eric Millis
1594 West North Temple Suite 310
Salt Lake City, UT 84114

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Duchesne County Water Conservancy
District
c/o Hansen Allen and Luce
859 West South Jordan Parkway, Suite 200
South Jordan, UT 84095

Emery Water Conservancy District
c/o Shawn L. Draney, Attorney and
Scott H. Martin, Attorney
10 Exchange Place 11th Floor
Salt Lake City UT 84111

Green River Companies
PO Box 404
Green River UT 84525

Kane County Water Conservancy District
c/o Mabey Wright and James
175 Main Street, Suite 1330
Salt Lake City, UT 84111

Living Rivers and Colorado Riverkeeper
c/o John Weisheit
PO Box 466
Moab, UT 84532

PacifiCorp
c/o Buffi Morris
1407 W. North Temple, #110
Salt Lake City, UT 84116

Pipeliners Local Union 798
PO Box 470798
Tulsa, OK 74147-0798

Provo River Water Users Association c/o
Shawn L. Draney, Attorney and Scott H.
Martin Attorney
10 Exchange Place 11th Floor
Salt Lake City UT 84111

San Juan Water Conservancy District
PO Box 246
Blanding, UT 84511

Tim Vetere
PO Box 404
Green River UT 84525

Uintah Water Conservancy District
c/o Shawn L. Draney, Attorney
10 Exchange Place 11th Floor
Salt Lake City UT 84111

and

Uintah Water Conservancy District
c/o N. Gawain Snow
78 West 3325 North
Vernal UT 84078

Upper Yampa Water Conservancy District
c/o Grahm J. Gilbert Attorney
15 West South Temple, Suite 1200
Salt Lake City, UT 84101

Utah Board of Water Resources
c/o Charles Holmgren
PO Box 146201
Salt Lake City Utah 84114-6201

Washington County Water Conservancy
District
c/o Wendy Bowden Crowther Attorney
201 South Main Street #1800
Salt Lake City, UT 84111

Wayne County Water Conservancy District
c/o John H. Mabey Jr., Attorney
175 South Main Street, Suite 1330
Salt Lake City, UT 84111

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Western Resource Advocates
c/o Ariel Calmes, Esq.
150 S 600 E Ste. 2A
Salt Lake City, UT 84102

Paul Burnett
c/o Trout Unlimited
5279 South 150 East
Ogden, UT 84405

Colorado River District Colorado River
c/o John Currier, Chief Engineer
P.O. Box 1120
Glenwood Springs, CO 81602

Terry Carwile
37451 North Hwy 13
Craig, CO 81625

Gary Wockner
c/o Save The Colorado
PO Box 1066
Fort Collins, CO 80522

Utah Rivers Council and Other Groups
c/o Nick Schou
1055 E. 2100 S. Ste. 201
Salt Lake City, Utah 84106

Nathan Fey
c/o American Whitewater
1601 Longs Peak Ave
Longmont, CO 80501

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