



GARY R. HERBERT
Governor

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Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

BRIAN C. STEED
Executive Director

Division of Water Rights

TERESA WILHELMESEN
State Engineer Division Director

September 22, 2020

State of Utah Board of Water Resources
1594 West North Temple, Ste 310
Salt Lake City, UT 84114-6201

Kane County Water Conservancy District
725 E. Kaneplex Dr.
Kanab, UT 84741

Washington County Water Conservancy District
553 East Waterworks Drive
St. George, UT 84770

RE: Permanent Change Application 41-3479 (a45683)

Dear Applicant(s):

A hearing on the above-numbered application has been scheduled for **1:00 PM on Wednesday, October 21, 2020**, in the auditorium (Room 1040) of the Department of Natural Resources Building located at 1594 West North Temple, Salt Lake City, Utah.

Social Distancing Protocol

Due to social distancing requirements associated with the COVID-19 pandemic, physical seating within the DNR auditorium will be limited. Consequently, in order to ensure that the applicants and protestants (i.e., parties) are able to participate in person, the State Engineer will reserve a maximum of two (2) seats per party. The hearing proceeding will also be live-streamed online at the following URL:

<https://waterrights.utah.gov/watchlive/>

Remote Access to Hearing

To facilitate parties to the application who wish to participate from remote locations, the hearing will also be accessible electronically via web-conference and telephone. Instructions on how to participate in the hearing via web-conference or telephone can be found at the following URL:

<https://waterrights.utah.gov/hearings/>

Hearing Format

The hearing for this application will be conducted in accordance with Utah Code Section 63G-4-203 and Utah Administrative Rule R655-6. The hearing is an administrative proceeding allowing the State Engineer to collect information to evaluate the application. The hearing is not the sole basis from which a decision will be made; however, it is an opportunity for the parties to bring the State Engineer's attention to any information relevant to the statutory decision-making criteria (Utah Code Sections 73-3-3 and 73-3-8).

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During the course of the hearing, participants will be provided with pre-determined time limits to make their presentations. The Hearing Officer will enforce adherence to these time limits. The first to present will be the applicant – who will be allowed 45 minutes in which to make their initial presentation. Following the applicants' presentation, each protestant will be provided 15 minutes to present information and provide data and information regarding the statutory criteria governing the approval or rejection of the application. Upon conclusion of the protestants' allotted time, the Hearing Officer will allow 2 minutes (per entity/person) for other interested members of the public to provide additional information or testimony. Upon conclusion of the public comment period, the applicants will then be provided with 30 minutes to summarize their application, answer any questions, and address issues raised by the protestants and/or members of the public. Protestants with similar data and information should choose to combine their individual allocation of time in order to accommodate a longer presentation. If this is the case, please contact me directly prior to the hearing so I can coordinate the respective time allocations.

As you prepare for the hearing, please do so with the time limits in mind. Due to the limited time, it is not necessary for a party to restate previously presented information. Instead, parties may simply express agreement with that information as appropriate. Recognizing the difficulty in anticipating and answering questions that may arise, the Hearing Officer may allow for some additional flexibility to the time limits in order to facilitate the investigative process.

Hearing Exhibits

The hearing facilities will accommodate the use of PowerPoint presentations. Please arrive early with a copy of your presentation on a detachable flash drive that can be loaded onto a Division of Water Rights computer for presentation and inclusion on the water right file. Other exhibits may also be submitted. Please bring enough hard copies for all parties and one additional copy to be placed on the water rights file.

To present exhibits from a remote location, parties may utilize the web-conference interface to share the screen of their respective computer. Alternatively, the Hearing Officer will display the exhibits during the hearing at the submitting parties' request if parties mail exhibits to our Salt Lake City office to the attention of Clark Adams, or submit them electronically via email at clarkadams@utah.gov. Exhibits sought to be displayed by the Hearing Officer must be received no later than 24 hours in advance of the hearing.

If you have questions regarding the hearing, please contact me directly at 801-538-7345 or blakebingham@utah.gov.

Sincerely,



Blake W. Bingham, P.E.
Assistant State Engineer – Applications & Records

cc: (protestants)

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