



February 19, 2016

Nova Dubovik
346 South Rio Grande St.
Salt Lake City, UT 84101
ndubovik@utah.gov

Dear Ms. Dubovik:

I am writing to appeal to the State Records Committee the denial of Utah Rivers Council's GRAMA request by the Washington County Water Conservancy District.

The Utah Rivers Council submitted a GRAMA request to the District dated December 18, 2015 regarding the Washington County Water Conservancy District's repayment plan for the Lake Powell Pipeline. On January 7, 2016 the District denied our request. We appealed to the Chief Administrator of the District on January 13, 2016 and the District denied the appeal on January 21, 2016.

At issue is the proposed Lake Powell Pipeline and the substantive debt payments that must be made by the recipients of the water from this pipeline. The Lake Powell Pipeline Development Act requires that Utah taxpayers pay the costs of this project, estimated to be between \$1-3 billion, and then establish a loan for these costs to the recipients of the water.

Recently, over 20 PhD University economists conducted an elaborate 42 page economic analysis of the loan, which clearly indicated the pipeline debt would require massive increases of water rates, impact fees and property taxes for Washington County residents. This debt would amount to \$781 per year for 50 years for every man, woman and child in the county. These fiscal issues clearly merit an open and transparent discussion of the impacts of this debt.

As the accompanying materials demonstrate, the District told members of the media they have a repayment plan, which demonstrates that pipeline debt can be repaid without major increases in water rates, impact fees or property taxes. That's why we were very disappointed by the District's denial of this request for a copy of their repayment plan, which would provide basic transparency about projected debt repayment obligations for 150,000 Washington County residents.

We are puzzled by the District's response "We do not maintain records described in the above-referenced request." Statements made to the media by members of the District about the financial analysis conducted by University economists regarding the debt for the proposed Lake Powell Pipeline imply the Washington County Water District possesses 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. (See the attached October 26, 2015 St. George Spectrum article) Some from the District have claimed this repayment schedule is somehow "proprietary," which we cannot comprehend.

If a repayment plan does not exist, in contradiction to the District's media statements, we would like to know what the proprietary document is that the District's representatives referred to in this

discussion, and explain what factor(s) makes a schedule of public debt payments proprietary. Considering that Utah taxpayers, the lenders, would incur billions in debt for the Lake Powell Pipeline for the District, the borrower, we see no credible reason why a repayment plan should be withheld from the Utah public.

Utah taxpayers deserve to know whether they will be repaid for the billions of dollars in costs and interest the District is proposing to spend of their money. Washington County residents deserve to know by how much their water rates, impact fees and property taxes must be increased to repay the debt the District is proposing. We believe this misinformation game the District is playing with the public and the use of their money is disingenuous.

Therefore, in accordance with the Government Records and Management Act ("GRAMA"), U.C.A. 63-2-204 et seq., I hereby appeal to the State Records Committee and request that the District and any other custodian of public records provide a copy of the Washington County Water Conservancy District's repayment plan for the proposed Lake Powell Pipeline. We simply seek a schedule of payments referenced by the District, which would receive this loan for the Lake Powell Pipeline from the Utah taxpayer.

I would be happy to provide any clarification to you and the State Records Committee that may be necessary to respond to this very important request. Please give me a call if you would like to discuss any aspect of this letter.

Sincerely,



Zachary Frankel
Executive Director