

## GRAMA Request Form

**Note:** Utah Code § 63G-2-204 (GRAMA) requires a person making a records request furnish the governmental entity with a written request containing the requester's name, mailing address, daytime telephone number (if available); and a description of the record requested that identifies the record with reasonable specificity.

### Requester's information

Name: Deiss Law PC Date: 09/21/2017

Address: 10 West 100 South, Suite 425

City/State/zip: Salt Lake City, Utah 84101

Daytime telephone number: 801-433-0226

### Request made to

Government agency or office: Emigration Improvement District

Address: PO BOX 58945

City/State/zip: Salt Lake City, UTAH 84158

### Records requested

**Note:** The more specific and narrow the request, the easier it will be for an agency or office to respond to the request. If you are unsure about the records' description, contact the agency or office records officer.

**Note:** Government keeps records in "series" or groups of records. To find out what series an agency or office maintains, visit the Archives' website, <http://archives.utah.gov>. The record series retention schedules on the Archives' website include relevant descriptions.

Title or series number of records (if known): \_\_\_\_\_

Description of records including all relevant information—location of event(s) described in records, city, county, address; date range of the records; names of the person(s); and subject of the request.

- 1) Identify all existing Emigration Canyon homes which have connected to the water system operated by Emigration Improvement District since January 1, 2002;
- 2) Identify addresses of the last ninety seven (97) Emigration Canyon Homes, which have connected to the water system operated by Emigration Improvement District, whose owner failed to relinquish 0.75 prior thereto;
- 3) Identify all addresses of vacant properties which Emigration Improvement District is contractually obligated to provide future water service;
- 4) Identify all addresses of all water letters issued by Emigration Improvement District for the issuance of building permits for new construction since January 1, 2002;
- 5) Provide all data collected from the five (5) monitoring wells operated by Emigration Improvement District since January 1, 2002;
- 6) Identify all properties, which are contractually obligated to connect to the EID water system once operational (so-called "stand-by agreements");
- 7) Identify all properties which EID has released from contractual obligations to connect to the EID Water system once operational (so-called "stand-by agreements").
- 8) a list of all Canyon homeowners EID has refused to release from the aforementioned "stand-by agreements."

**Note:** If the record has a restricted access, GRAMA provides that certain individuals may still receive access.

- I am the subject of the record
- I am the authorized representative of the subject of the record
- I provided the information in the record

**Considerations about the desired response**

I would like to:

- View or inspect the records only
- Receive a copy of the records and pay associated fees. Please notify me if the amount will exceed \$ 1,000.00
- Receive a copy of the records and request a fee waiver, according to Utah Code § 63G-2-203, because:
  - Releasing the record primarily benefits the public
  - I am the subject, or authorized representative, of the record
  - My legal rights are directly implicated by the information of the record because \_\_\_\_\_, and I am impecunious
- Receive an expedited response (5 days) because releasing the record benefits the public; I request the information for a story or report for publication or broadcast to the general public

JEREMY R. COOK  
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111 EAST BROADWAY, 11th FLOOR  
SALT LAKE CITY, UTAH 84111  
Facsimile: 801.363.4378

October 9, 2017

Deiss Law PC  
10 West 100 South, Suite 435  
Salt Lake City, Utah 84101

**Re: GRAMA Request**

Dear Mr. Deiss:

This letter is in response to your Government Records Access and Management Act (“GRAMA”) request to the Emigration Improvement District (the “District”) dated September 21, 2017. As you are likely aware, GRAMA allows the public to inspect documents, but does not require a governmental entity to compile information or response to interrogatory style questions. Specifically, Utah Code § 63G-2-201(8) states:

- (8)(a) In response to a request, a governmental entity is not required to:
- (i) create a record;
  - (ii) compile, format, manipulate, package, summarize, or tailor information;
  - (iii) provide a record in a particular format, medium, or program not currently maintained by the governmental entity;
  - (iv) fulfill a person's records request if the request unreasonably duplicates prior records requests from that person; or
  - (v) fill a person's records request if:
    - (A) the record requested is accessible in the identical physical form and content in a public publication or product produced by the governmental entity receiving the request;
    - (B) the governmental entity provides the person requesting the record with the public publication or product; and
    - (C) the governmental entity specifies where the record can be found in the public publication or product.

Your Request Nos. 1, 2, 3, 4, 6, 7 and 8 all request that the District “identity” certain information or respond to certain questions. The District is not required to compile information or respond to interrogatories, and your request is therefore denied. If there are specific documents you would like to review, the District will consider any request to review those documents and provide access if the documents are classified as public. In response to your Request No. 5, I have provided data collected on the (5) monitors wells operated by Emigration Improvement District.

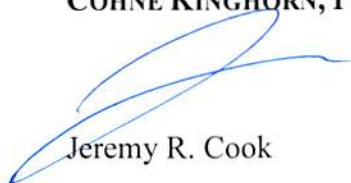
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Also, for future reference, any documents will likely need to be compiled by Mr. Hawkes. Mr. Hawkes' rate is \$58 per hour. In addition, to the extent you want documents copied, the District will utilize a third-party document service. In accordance with Utah Code § 63G-2-203(8), any charges for copying service will need to be prepaid before the District will copy the documents.

In accordance with Utah Code §§ 63G-2-205 and 63G-2-401, you have the right to appeal any portion of this response to the Chairman of the Board of Trustees by filing a notice of appeal with the District within 30 days. The notice of appeal must state: (1) your name, mailing address, and daytime telephone number; and (2) the relief sought. The notice of appeal may also include a short statement of facts, reasons, and legal authority in support of the appeal.

Very truly yours,

**COHNE KINGHORN, P.C.**



Jeremy R. Cook