



GORDON LAW GROUP
a full-service law firm

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January 22, 2016

Judge Laura Scott
Matheson Courthouse
450 South State Street
P.O. Box 1860
Salt Lake City, UT 84114-1860

***Re: Special Master Application for the Utah Lake and Jordan River
Adjudication***

Dear Judge Scott:

I write to apply for the Special Master position for the Utah Lake and Jordan River Adjudication. I feel strongly that my experience in water law, mediation, and civil litigation, plus my location in Heber City, uniquely qualify me for the position.

I. EXPERIENCE

I have been a practicing attorney for 15 years, all of those here in the Heber Valley. For the first seven of those years I was a named partner in the law firm of Dunbeck & Gordon, with a primary focus on representing Midway Irrigation Company, Heber Light & Power, and numerous developers. Water law has been a focus from the very beginning of my practice.

During my early time at Dunbeck & Gordon, I spent several months researching a particular water right held by Heber Light & Power, attempting to close a gap in title. In this process I went through almost every title book in Wasatch County. This was a crash course in all aspects of how title to water is held, how it is transferred, priority rights, place of use, and trying to piece together what should happen when a gap in title occurs. I am expecting to see many similar issues in the adjudication.

This experience was a springboard into all aspects of water law. From there I was involved with water development issues while representing Timberlakes Special Service

District, as well as dealing with extensive on-going day to day issues with Midway Irrigation Company.

During the past seven years I have established of firm of five attorneys here in Heber Valley called the Gordon Law Group. During this time I have continued to be corporate counsel for Midway Irrigation Company. I also represent Charleston Water Conservancy District.

To fully understand the breadth and scope of experience gained with Midway Irrigation Company, you need to understand the size of the company. It has 3500 shareholders. It has five unique sources, two of which are developed water (meaning water that is not native to the Provo river drainage) that come with a unique status in the world of water rights. We have had dealings with the Provo River Water User's Association, Central Utah Water Conservancy District, Jordanelle Special Service District and Twin Creeks Special Service District. We have been involved in multiple pieces of litigation in district court and before the state engineer to protect these rights, including issues with a contract signed in 1894 for water from the Ontario Drain Tunnel. During the past seven years the number of issues I have addressed is legion.

For example, during the last adjudication of the Provo drainage in 1921 (called by some and cursed by many as the Morse Decree) the Judge unintentionally created confusion for the company by issuing the Company's water rights jointly in the names of the company and a certain number of outside farmers who did not own shares in the Company, but relied on the same water rights. Sadly, the Judge did not indicate how much water each individual should be appropriated, which has required extensive amounts of title work and analysis to determine where these water rights may have been used, including many days sifting through the documents of the original decree down at the State Engineer's office. This has been critical for the Company because we have been involved in litigation with individuals who have made unsubstantiated claims to water they do not own. With water as valuable as it is, I have experience first-hand those who attempt to speculate on water, attempting to resurrect water rights that have not be used in decades.

I cannot imagine better preparation for issues that may arise in an adjudication. When it comes to people making claims to water rights, and what it actually requires to prove up that claim, I have seen just about everything.

II. CASE MANAGEMENT AND FIRM RESOURCES

As to case management, I have a standing case load of approximately 45 to 70 cases at any given time. I currently oversee cases in civil litigation, criminal and juvenile court,

dealing with all aspects of contractual law, zoning and development, family law and estate planning.

I am experienced in all aspects of civil litigation and criminal defense. I have jury trial experience, and have tried over twenty cases in my career, be they before juries or bench trials. I also have experience in appellate work, having appeared before the appellate court several times.

I am a court certified mediator, and have had a mediation practice for the past six years. I have mediated approximately 60-80 cases ranging from divorce issues to very difficult and complex development problems, and enjoy immensely this part of my practice.

I am no stranger to conducting administrative hearings, as I am currently the co-chair of a panel that oversees ethics violations for the Utah State Bar Association. I have served on this panel for the past four years.

I have attended the annual Water Law Conference in St. George for the past seven or eight years, and through CLE routinely update my knowledge of water law on an annual basis.

As a firm, I can offer the state redundancy at every level regarding the skills needed to complete the work of the Special Master. I will be the primary individual doing the work, but have one associate who has deep end water law experience that can aid in water law questions, and another associate who has 14 years of experience in a litigation firm in Atlanta, Georgia, who can aid in litigation issues. I also have an existing relationship with Judge Steven Hansen, recently retired 4th Judicial District Judge, who mediates for us in cases where I am an advocate. I have discussed this with him and he is available to fill in for mediations or hearings should I be unavailable.

Let me speak next to available facilities for hearings. I have a beautiful office in Heber that has two large conference rooms that can seat 14 and 8 respectively. I would be willing to rent a facility in the Orem area for purposes of holding hearings should this be necessary. Being located in the Heber Valley, we have the luxury of being only 20 minutes away from Provo, but also have no conflicts in the area.

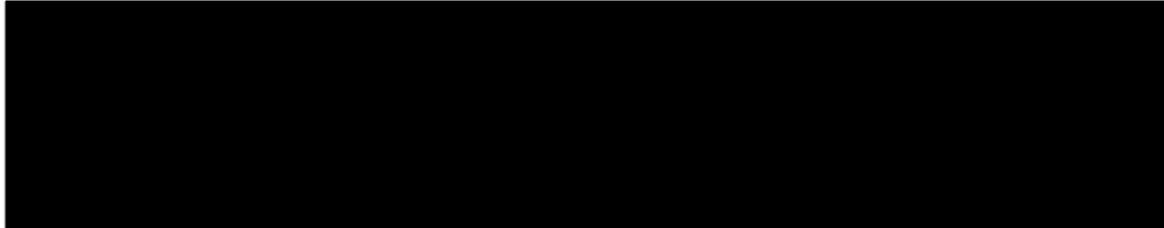
III. DISCLOSURE OF CONFLICTS

I do not believe that any of my current clients would create a conflict of interest in the current adjudication, as most of it is based in the lower valley. As disclosed I represent Midway Irrigation Company and Charleston Water Conservancy District, and would

Judge Laura Scott
January 22, 2016
Page 4

withdraw as counsel and special master on any issues that might arise involving one of these parties.

IV. BILLING PROPOSAL



It would be a privilege to use the skills I have acquired to perform the work of a Special Master, and I hope to be considered for the position.

Sincerely,



Corbin B. Gordon
Managing Partner

CORBIN B. GORDON

345 West 600 South, Suite 108, Heber, UT 84032 • P 435.657.0984 • cgordon@gordonlawgroup Utah.com

Employment History

Gordon Law Group, P.C. – 2007 through present

- Owner and Manager of five member firm located in Heber City, Utah
- The firm provides services in all of the following areas: civil litigation, criminal defense, land use/zoning, water law, corporate organization and governance, transactional law, and mediation
- Court certified mediator for six years: experienced in all types of mediation
- Experienced trial attorney, including jury trials, in both Justice and District courts
- Experienced appellate attorney
- Have represented two judges before the Judicial Conduct Commission
- Currently a co-chair of a panel for the Office of Professional Conduct

Dunbeck & Gordon, P.C. – 2002 through 2007

- Partner
- Managed associates and staff
- Practiced in criminal defense, civil litigation, land use/zoning, water law, corporate organization and governance, transactional law, and mediation
- Researched numerous federal regulatory issues while representing Heber Light & Power

Questar Corporation – 2000 through 2001

- Clerkship and scholarship
- Researched federal regulatory issues

Education

University of Utah Law School, J.D., 2001

- Leary Scholar (Top 20%)
- Outstanding Student, International Law
- Outstanding Student, Comparative Law
- Outstanding Student, Hebrew Law
- National Quarterfinalist as a Member of the University of Utah Trial Advocacy Team
- Recipient Questar Gas scholarship and clerkship

Brigham Young University, B.S. in English, minor in Business Administration, 1998

- Recipient, Y Award Leadership Scholarship
- Coordinator, Especially For Youth
- Second Place, University-wide Founder's Day Essay Contest

Wasatch High School, 1991

- Student Body President
- State Champion, Speech and Debate

Affiliations

- Founder and former President of the Wasatch County Bar Association