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January 6, 1975

Mr. Dee C. Hansen
State Engineer
442 State Capitol
Salt Lake City, Utah 84114

Dear Mr. Hansen:

On Thursday, January 2, 1975, I talked with Mr. Dallin Jensen of your office about the agenda contemplated in your notice of September 26, 1974, which hearing has been continued by several subsequent notices to January 8, 1975. I was particularly concerned since you have noticed a hearing for the Provo City Application A-6812 concerning a change of use of certain Provo City Water.

As a result of our conversation, Mr. Jensen said that he would recommend to you that we conduct an informal pre-trial on the Lot Water case and that we concentrate on taking testimony in the "Mill Race" case for the bulk of the day. He did not indicate which case would proceed first, or how much time you would utilize in presenting testimony. Your letter of November 29, 1974, however, indicates the "Lot Water" case would follow the "Mill Race" case. With that in mind, I would suggest the following agenda:

9:30 - 10:30	Preliminaries
10:30 - 12:00	Witnesses - called by the Engineer
12:00 - 1:30	Noon Recess
1:30 - 3:30	Witnesses - called by parties
3:30 - 5:00	Pre-hearing conference Change Application No. A-6812

I assume, under the court's mandate in Civil No. 34,701 (Mill Race Case), that you are to subpoena witnesses and marshal the evidence. It appears to me that the referral to you is pursuant to UCA 73-4-1. It may be, therefore, that I have been overly optimistic in believing that you can cover your inquiry in the forenoon.

Mr. Dee C. Hansen

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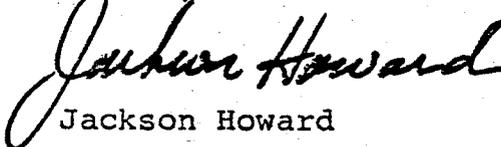
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I have, nevertheless, scheduled eleven witnesses for that afternoon. There are, of course, more witnesses available, and who may be necessary, but even in light of what I believe will be brief testimony, I do not think I can finish in the afternoon. Further, it is possible that other parties will have witnesses to offer.

On the basis of my conversation with Mr. Jensen, I shall rely on proceeding as I have outlined above.

Respectfully,

HOWARD, LEWIS & PETERSEN


Jackson Howard

JH/lo

cc: Mr. Edward W. Clyde
Mr. Joseph Novak
Mr. James B. Lee
Mr. H. Ralph Klemm
Mr. Ray Montgomery
Mr. Dallin W. Jensen