



OFFICE OF THE
STATE AUDITOR

September 20, 2021

Kane County Water Conservancy District
ATTN: Robert Van Dyke
725 East Kaneplex Drive
Kanab, UT 84741

Dear Mr. Van Dyke,

The Office of the State Auditor received a Government Access and Management Act (GRAMA) Request from Kane County. This letter is in response to your GRAMA request dated September 14, 2021 in which you requested the following records:

- *Any and all records, including but not limited to written or electronic correspondence, received by the State Auditor's Office regarding the Kane County Water Conservancy District that resulted in the current actions of the State Auditor's Office, which actions are discussed in the attached letter of engagement.*
- *Any and all records, including but not limited to written or electronic correspondence, from the same complainants as the records request stated above that were received by the State Auditor's Office from Jan 1, 2021 to today's date.*
- *Any request by the above-mentioned complainant requesting their complaint to be confidential.*

Pursuant to GRAMA, the request for records from Kane County, a governmental entity under Utah Code Section 63G-2-103(11)(a)(v), is denied. Utah Code Section 63G-2-206 sets forth the proper sharing procedures by which a governmental entity may share records with another governmental entity. See also, Jordanelle Special Services District Decision and Order, Case No. 16-02 before the State Records Committee: <https://archives.utah.gov/src/srcappeal-2016-02.html>.

Furthermore, these records are classified as protected records pursuant to Utah Code Section 63G-2-305(10)(a) & (b). The records were created for audit purposes, the audit is ongoing, and release of the records at this time "reasonably could be expected to interfere with investigations undertaken for enforcement, discipline, licensing, certification, or registration purposes" or "reasonably could be expected to interfere with audits, disciplinary, or enforcement proceedings." Additionally, Utah Code Section 63G-2-305(10)(d) classifies this information as "protected" because it "disclose[s] information furnished by a source not generally known outside of government if disclosure would compromise the source."

Pursuant to Utah Code Section 63G-2-401, you have the right to appeal the denial of this request to the chief administrative officer, John Dougall, Utah State Auditor. Your notice of appeal must be submitted within 30 days of the above denial date and must include your name, mailing address, daytime telephone number, and an explanation of the relief sought. You may also include any supporting information with your notice of appeal. Your appeal may be submitted at the address listed below.

Please be aware that all GRAMA requests are posted on our website as a matter of office practice (with personal information, such as address, redacted). We do this to provide transparency and accountability to the public at large.

Sincerely,

Mandy Teerlink, Records Officer
Office of the State Auditor