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THIS IS A GRAMA REQUEST

October 1, 2007
File: 1197

Certified Mail/Return Receipt Request
No. 7005 1160 0004 1390 2542

Mark Habbeshaw, Chair
Kane County Commission
76 North Main
Kanab, Utah 84741
Fax: 435-644-2052

2008 JAN 14 AM 9:41
BLM - UT - 950

Re: Clarification Concerning GRAMA Request Regarding "Bald Knoll Road"

Dear Commissioner Habbeshaw:

Thank you for your September 27 response to our September 13 letter submitted pursuant to the Government Records Access and Management Act (GRAMA), Utah Code Ann. § 63-2-101 *et seq.* seeking records in the possession of the Kane County Commission, the Kane County Clerk, the Kane County Roads Department, the Kane County Attorney. That request sought the following:

1. All road and/or highway maps published by, for, or of Kane County between January 1, 1920 and October 21, 1976 that depict the following townships and ranges in the Salt Lake Base Meridian: Township 40 South, Range 4 ½ West, and Township 40 South, Range 5 West.
2. All records concerning to maintenance or construction (including funding of such maintenance or construction) of roads in Kane County dated before October 21, 1976. We limit our request to only those records for routes located within the following townships and ranges in the Salt Lake Base Meridian: Township 40 South, Range 4 ½ West, and Township 40 South, Range 5 West.
3. All records – including but not limited to use, maintenance, construction, and funding of such maintenance or construction – concerning the "Bald Knoll road," also known as Kane County route K3935. See http://www.blm.gov/ut/st/en/prog/more/lands_and_realty/rs2477_rights-of-way/bald_knoll_road_non/news_release__9-12-07.html.

Your September 27 response on behalf of the Kane County Commission and the Kane County Roads Department indicated as follows:

1400 GLENARM PLACE, #300 DENVER, CO 80202-5050

T: 303.623.9466 F: 303.623.8083 E: ejusco@earthjustice.org W: www.earthjustice.org

Attachment B

Clarification Concerning September 13, 2007 GRAMA Request to Mr. Habbeshaw
October 1, 2007

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1. The County identified 18 maps in the County's records relating to the records sought in request #1, which you would provide, in black and white, at a cost of \$18.00.


We agree to pay this cost. A check for \$18.00 is attached. We understand that some (or all) of the maps may be in color, but that the copies will be in black and white. We may request the opportunity to review the maps at Kane County's offices in Kanab upon reviewing the black and white copies.

2. The County located no items responsive to request #2.
3. The County states that searching for records in response to request #3 could cost \$800 - \$1000 plus copy costs because records concerning "construction, maintenance, and road repair activities have been kept daily in hand written notebooks since 1977."

We seek to narrow this portion of our request. We now specifically omit from request #3 all records concerning "construction, maintenance, and road repair activities" that occurred after October 21, 1976. To the extent that Kane County has any other records responsive to request #3, we continue to seek those records.

Thank you for your prompt attention to this request. We request that by October 9, 2007 Kane County provide the maps and any items that may respond to our narrowed request #3. Please feel free to call me at 303-623-9466 with any questions or concerns. Thank you for your continued assistance in this matter.

Sincerely,



Edward B. Zukoski, Staff Attorney

Attorney for Southern Utah Wilderness Alliance and
The Wilderness Society

cc: Heidi McIntosh, Esq., SUWA
Suzanne Jones, TWS-Denver
Kristen Brengel, TWS-DC