

December 14, 2017 - Quick note on the assessment of the oral argument for both Motions for Summary Judgment issue matter in Reserve yesterday: Attorneys representing those protesting the APR did an outstanding job stating their case. More on the meeting and videos of the proceedings should be available early next week. Following the protestors' presentations, the APR LLC's attorney made his, and it couldn't compare.

Then it was the turn of the Water Rights Division. Be reminded that the document written by the Water Rights Division (WRD) of the Office of the State Engineer stated what looked to be an opinion in favor of the APR LLC. Chris Lindeen, attorney for the WRD, explained that the WRD document was only intended to show that the application was complete, and he went on to explain what that meant. Then, said he, the WRD was going to RECOMMEND THAT THE STATE ENGINEER DISMISS THE APPLICATION, BASED ON SPECULATION!!!!!! The shock in the courtroom was palpable: you could have heard a pin drop.

There is a lot of explanation that goes with that recommendation. The State Engineer must make the final decision and we won't know what that decision is for "two or three months" according to the hearing officer. All were encouraged by what we heard today.