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Affiliated firm Lear & Lear, LLP

January 8, 2016

The Hon. Laura Scott
Attn: Special Master Application
Matheson Courthouse
450 South State Street
P.O. Box 1860
Salt Lake City, UT 84114-1860

Re: Statement of Interest/Special Master Appointment

Dear Judge Scott:

I am applying for the special master position in the Utah Lake and Jordan River General Adjudication (Civil No. 360057298).

First, something about myself: I am past chair of the Utah State Bar's Water Law Committee. Since I was admitted to the Bar in 1980, between a fifth and a third of my practice at any one time has been related to water rights. I have extensive experience, representing mutual water companies, public water suppliers, individual appropriators and protestants, secured lenders and borrowers, and bankruptcy estates and receiverships with interests in water rights, and have represented parties to general adjudication on multiple occasions. I am frequently called upon to consult with other lawyers in the area of water rights, both inside and outside of my firm. My publications list will show you that I have frequently written and spoken about the law of water rights. I am well-acquainted with the procedures in general adjudications, the law of forfeiture of water rights, and the State Engineer's practices and procedures.

Neither I, nor my firm, represent any party to the General Adjudication, and I have no economic interest in any water rights that are subject to that litigation.

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Judge Scott, I have had a long and successful career, and this position is an opportunity for growth, participating in an important matter that will be good for me, as well as for the Court and the People of Utah.

My *Curriculum Vitae* is enclosed. I will be happy to supply references, upon request.

Thank you very much for your attention and consideration.

Respectfully yours,

JONES WALDO HOLBROOK & McDONOUGH, P.C.



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RLK:rp
Enc.



CURRICULUM VITAE

of

RICK L. KNUTH

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EMPLOYMENT EXPERIENCE

Attorney/Shareholder (1998 to present)

JONES, WALDO, HOLBROOK & McDONOUGH, Salt Lake City, Utah

- Board of Directors, 2002 to 2009
- Vice President, 2003 to 2009
- Group Leader, Real Estate Development Practice Group
- Director of Professional Recruiting, 2002 to 2008

Attorney/Shareholder (1992 to 1998)

PARSONS, DAVIES, KINGHORN & PETERS, Salt Lake City, Utah

(f/k/a Parsons, Davies, Owen & Knuth, n/k/a Cohne & Kinghorn)
Founding shareholder, vice president and director

Attorney/Shareholder (1980-1992)

WATKISS & SAPERSTEIN, Salt Lake City, Utah

(f/k/a Watkiss & Campbell)

EDUCATION

University of Utah College of Law
Salt Lake City, Utah

Juris Doctor (J.D.), 1980

William H. Leary Scholar, 1978-79

Barnard J. Stewart Memorial Scholar, 1979-80

President, Student Bar Association, 1979-80

Book Review Editor, Journal of Contemporary Law, 1979-80

California State University -- San Diego
San Diego, California 1975-77 (Dean's List)

Weber State College
Ogden, Utah

Bachelor of Arts, 1974 (*cum laude*)

FELLOWSHIPS, HONORS, MEMBERSHIPS AND PROFESSIONAL AFFILIATIONS

Fellow, American College of Mortgage Attorneys (2004 to present)

- State Chair for Utah (2011 to present)
- AMCA (www.acmaatty.org) is a by-invitation-only association of approximately 400 attorneys in the United States, Canada, Puerto Rico and Mexico, sharing a particular expertise in mortgage law and asset-based finance.

Listed in *The Best Lawyers in America*, in: Real Estate Law, Banking Law, and Bankruptcy and Creditor-Debtor Rights (from 2011 to present). [Currently listed in six (6) categories: *Banking and Finance Law*; *Banking and Creditor Debtor Rights/Insolvency and Reorganization Law*; *Litigation -- Banking and Finance*; *Litigation -- Bankruptcy*; *Litigation -- Real Estate*; and, *Real Estate Law*].

- Best Lawyers' 2016 Salt Lake City "Litigation – Real Estate Lawyer of the Year"
- Best Lawyers' 2013 Salt Lake City "Litigation – Banking and Finance Law Lawyer of the Year"
- Best Lawyers' 2012 Salt Lake City "Banking and Finance Law Lawyer of the Year"

Listed in *Mountain States Superlawyers*, in Banking Law (covering Utah, Nevada, Idaho, Montana and Wyoming, 2010-2012; 2014 to present)

Rated "AV", Martindale-Hubbell, since 1995 (highest rating for professional ability and ethics)

Utah Business Magazine, "Utah Legal Elite," 2004 to present

Admitted to practice

- Utah Supreme Court and United States District Court, District of Utah (1980)
- United States Claims Court and United States Court of Appeals for the Tenth Circuit (1982)

Member

- Utah State Bar
- Salt Lake County Bar Association

Associate Member, Urban Land Institute

COMMUNITY AND CHARITABLE ACTIVITIES

Member, Salt Lake City Housing Trust Fund Advisory Board (2007 to present)

Member, Board of Trustees, S.J. Quinney College of Law, University of Utah, 2005 - 2010

Chair, Water Law Committee of the Energy, Natural Resources and Environmental Law Section of the Utah State Bar Association, 2000 to 2002.

Member, Utah State Board of Mandatory Continuing Legal Education, 1995 to 2001;

- Chairman, 1999 to 2001;
- Executive Committee member, 1997 to 2001.

Member, Board of Trustees,
Journal of Contemporary Law Alumni Association, 1984 to 1990

Arbitrator, Financial Industry Regulatory Authority ("FINRA", formerly NASD),

1997-present (Arbitration Panel Chairman)

PROFESSIONAL PUBLICATIONS and PRESENTATIONS

(In chronological order)

Bases for Legal Establishment of a Public Right of Recreation in Utah's "Non-Navigable" Waters, 5 J. Contemp. L. 95 (1978)
[Cited by the Court: *J.J.N.P. Co. v. State of Utah*, 665 P.2d 1133, 1136 (Utah 1982)]

Book Review of *Religion and Politics: The Intentions of the Authors of the First Amendment* by Michael J. Malbin, 5 J. Contemp. L. 361 (1978)

Implied Dedication by Public User: An Old Dogma Learns New Tricks, 7 Utah Bar Journal 43 (Summer-Fall 1979)

Book Review of *The Environmental Protection Hustle* by Bernard J. Frieden, 1 J. Energy L. & Policy 83 (1980)

The Notice Requirement in U.C.C. Warranty Cases; A Primer, 13 Utah Bar Journal 39 (Fall-Winter 1985)
[Reprinted in abridged form: Intermountain Commercial Record, Vol. 30, No. 13, p. 1, (March 27, 1987)]

Lenders Facing Increased Liability For Hazardous Waste Clean-Up Under Federal 'Superfund' Law, The Enterprise, Vol. 19, No. 39 (April 2, 1990)

Protecting Your Water Rights From Forfeiture, Utah Farm Bureau News, Vol. 36, No. 11, p.5 (November 1990)

Avoiding Breaches of Peace in "Self-Help" Repossessions, 5 Utah Bar Journal 12 (August-Sept. 1992)

Repossession and Foreclosure of Personal Property in Utah, (National Business Institute, Eau Claire, WI, 1995)

A Modest Proposal Concerning "Esquire", 9 Utah Bar Journal 10 (March 1996)

What To Do About “NIMBY’s”, Utah Homebuilder Vol.6, No.7, (July 1997), p.23.

Conveyancing and Collateralizing Utah Water Rights, 12 Utah Bar Journal No. 10, (December 1999), pg. 12.

2000 Update of Utah Water Law, 2000 Year in Review, Natural Resources, _____ Energy and Environmental Law Journal, pg. _____ (American Bar Association).

2001 Update of Utah Water Law, 2001 Year in Review, Natural Resources, _____ Energy and Environmental Law Journal, pg. _____ (American Bar Association).

Short Sales and Deeds in Lieu of Foreclosure, The Utah Banker, Issue 2, 2008, page 8. <http://www.uba.org/displaycommon.cfm?an=1&subarticlenbr=543>

The New Utah Uniform Assignment of Rents Act, The Utah Banker, May/June, 2009, page 8. <http://www.uba.org/displaycommon.cfm?an=1&subarticlenbr=508>

Customizing the Bank Guarantee, The Utah Banker, July/August, 2011, page 8. <http://www.uba.org/displaycommon.cfm?an=1&subarticlenbr=605>

Why Bankers Should Use Pre-Negotiation Agreements, The Utah Banker, Winter, 2013, page 6. http://www.uba.org/associations/2179/files/UBA_WINTER13%20proof.pdf

Fraudulent Checks – the “Same Wrongdoer” Defense, The Utah Banker, Fall, 2013, page 16 <http://www.uba.org/displaycommon.cfm?an=1&subarticlenbr=678>

PAPERS PRESENTED (In chronological order)

“Security Interests in Utah Water Rights,” sponsored by Utah State Bar, (Water Law Section), and Utah Water Users’ Association, Salt Lake City, Utah, May 27, 1993.

“Conveyancing & Collateralization of Utah Water Rights,” Utah State Bar Annual Meeting, Sun Valley, Idaho, July 1, 1999.

“Title Issues and Utah Water Rights,” Salt Lake County Land Title Association,

Salt Lake City, Utah, November 9, 2000.

“Title Issues and Utah Water Rights,” Annual Convention, Utah Land Title Association, Mesquite, Nevada, January 11, 2001.

“Water Rights Administration – Water Rights Conveyances,” Joint Presentation of the Water Law Committee of the Utah State Bar, the Utah Water Users Association and Barnett Intermountain Water Consulting, St. George, Utah, March 5, 2001.

“Drafting Clear and Effective Transactional Documents,” Lorman Education Services, Salt Lake City, Utah, April 26, 2001.

Panel Presentations

Moderator, *“Change Applications on Shares of Water Stock,”* Joint Presentation of the Water Law Committee of the Utah State Bar, the Utah Water Users Association and Barnett Intermountain Water Consulting, St. George, Utah, March 11, 2002.