

KIRTON McCONKIE
Brian W. Burnett (3772)
David A. Jaffa (16475)
50 East South Temple, Suite 400
Salt Lake City, Utah 84111
Telephone: 801-328-3600
bburnett@kmclaw.com
djaffa@kmclaw.com
Attorneys for Petitioner

FILED

DEC 13 2018

**SECRETARY, BOARD OF
OIL, GAS & MINING**

Michael Begley (16396)
Emma Whitaker (16606)
Assistant Attorneys General
Sean D. Reyes, (7969)
Utah Attorney General
1594 West North Temple, #300
Salt Lake City, Utah 84116
Telephone: 801-538-7227
mbegley@agutah.gov
ewhitaker@agutah.gov
Attorneys for Respondent

IN THE UTAH COURT OF APPEALS

HEWITT OPERATING, INC.,

Petitioner

v.

BOARD OF OIL, GAS AND MINING,

Respondents

**STIPULATION AND MOTION TO
SUSPEND BRIEFING SCHEDULE**

Appeal No.: 20180634-CA

Agency Decision No.: 274-02

Pursuant to Rule 23(a) of the Utah Rules of Appellate Procedure, the parties to this appeal stipulate that the briefing schedule in this matter be suspended indefinitely and

move that the Utah Court of Appeals issue an Order to that effect. Because there is separate litigation that may affect the right to develop the oil and gas resources in the area of the Well, Case Nos: 170600011 (Consolidated with Case Nos. 170600012 and 170600013) in the District Court of Utah, Fourth Judicial District Juab County, good cause exists to stay the briefing schedule to allow the separate litigation to proceed.¹ The parties will notify the Court if briefing in this matter should proceed, wherein Petitioner will have thirty (30) days to file its brief in this appeal.

DATED this 13th day of December, 2018.

KIRTON MCCONKIE



Brian W. Burnett
David A. Jaffa
Attorneys for Petitioner

DATED this 12 day of December, 2018.

UTAH ATTORNEY GENERAL'S OFFICE
NATURAL RESOURCES DIVISION



Mike Begley
Emma Whitaker
Attorneys for Respondent

¹ The litigation involves the right to develop the oil and gas resources for this area which may render this appeal moot.

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of December, 2018, I caused a true and correct copy of the foregoing **STIPULATION AND MOTION TO SUSPEND BRIEFING SCHEDULE** to be e-mailed to the following:

Michael Begley
Emma Whitaker
Assistant Attorneys General
Utah Board of Oil, Gas and Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84114
mbegley@agutah.gov
ewhitaker@agutah.gov

Mitchell Maio
Attorney for David Gowdy
808 East South Temple
Salt Lake City, Utah 84102
mitch.maio@learlaw.com

Chris Cannon
Cannon Law Group
Attorney for Hewitt Operating Inc.
940 South 2000 West, Suite 230
Springville, UT 84663
chriscannon@gmail.com

Beatrice Winn, Trustee,
Samuel G. Winn and Stephen R. Winn
c/o Jared Winn
P.O. Box 304
Nephi, Utah 84648
jwdirt@centurylink.net

Steven F. Alder
Thomas Kessinger
Assistant Attorneys General
Utah Division of Oil, Gas and Mining
1594 West North Temple, Suite 300
Salt Lake City, UT 84116
stevealder@agutah.gov
tkessinger@agutah.gov

RLI Insurance Company
c/o Chris Simmelink
2925 Richmond Avenue, Suite 1600
Houston, Texas 77098
Christopher.Simmelink@rllicorp.com

David Gowdy
jdgowdy@gmail.com

Hewitt Operating Inc.
c/o Doug Hewitt
1775 Stone Ridge Drive
Bountiful, UT 84010
dhewitt@hegco.com

Julie Carter
Board of Oil, Gas & Mining
P.O. Box 145801
Salt Lake City, UT 84114
juliecarter@utah.gov
(Also hard copy by U.S. Mail)


