



FINDINGS REPORT FOR THE NINE MILE DATA, LLC DATA CENTER DEVELOPMENT COMMERCIAL USE CONDITIONAL USE PERMIT

April 2, 2026

<u>FILE NAME:</u>	Findings Report Nine Mile Data LLC 040226
<u>APPLICANT:</u>	Jones and DeMille Engineering, on behalf of Energence Utah, LLC
<u>LOCATION:</u>	4 parcels totaling 960.32 acres southeast of Bridgeland and southwest of the South Myton Bench, in Section 19, T4S R2W, USB&M
<u>ZONING DISTRICT:</u>	A-5 Agriculture, five acres

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FINDINGS OF FACT

PROPOSAL DESCRIPTION

The land use application for a conditional use permit submitted by Jones and Demille Engineering on behalf of Emergence Utah LLC proposes to develop and operate a data center development commercial use operation off of Wells Draw Road, southeast of Bridgeland and southwest of the South Myton Bench area. This 960 plus-acre project is one of three conditional use permits proposed by Emergence Utah LLC related to this data center in the same project area. The data center development would occur in the parcels shown in Table 1. The data center development would be permitted, developed, and operated in tandem with the solar and natural gas power plants, not included in this land use application review. Data center development commercial uses are allowed in the A-5 Agriculture Zoning District with a conditional use permit.

Parcels Included in Proposal

Parcel	Acreage
00-0009-5871	160.00
00-0027-8311	480.32
00-0034-9496	238.44
00-0009-5947	81.56
TOTAL: 960.32	

HISTORY OF EVENTS

- March 11, 2026 Land use application submitted.
- March 11, 2026 The application was deemed complete.
- March 18 and 25, 2026 Public hearing notice published in the Uintah Basin Standard.
- March 12 through April 2, 2026..... Public hearing notice posted at the Duchesne County Administration Building and on the Utah Public Notice website.
- March 18, 2026 Public hearing notice mailed to property owners within 300 feet of proposed conditional use.
- April 2, 2026 Planning Commission meeting.

DUCHESNE COUNTY ZONING REGULATIONS COMPLIANCE REVIEW

Application Required

All requests for a conditional use permit shall be made on the application form provided by the county, detailing the nature of the conditional use request. The applicant shall also provide the necessary information identifying the purpose of the conditional use request, and all required information shall be provided to the planning office twenty one (21) days prior to the planning commission meeting. The planning commission is authorized to

CONDITIONAL USE PERMIT
Nine Mile Data, LLC Data Center Development Commercial Use
April 2, 2026

render a final decision on the issuance of a conditional use permit following the review and receipt of a recommendation from the zoning administrator. ([8-13-2: APPLICATION FOR PERMIT](#))

Application was successfully submitted and determined to be complete on March 11, 2026.

Public Hearing Required

All applications for a conditional use permit shall be made in accordance with the provisions of this title, and shall be the subject of a public hearing held before the planning commission for which a minimum of fourteen (14) days' public notice has been provided and the planning staff notifying all property owners by U.S. mail within three hundred feet (300') of the proposed conditional use. ([8-13-3: PUBLIC HEARING REQUIRED](#))

A public hearing notice was published in the Uintah Basin Standard on March 18 and 25, 2026, and posted in the Duchesne County Administrative Building, Duchesne County website, and on the Utah Public Notice website on March 12, 2026, running until April 2, 2026. The public hearing notice was mailed to property owners within 300 feet of the proposed conditional use permit on March 18, 2026.

Findings Required

- A. Findings Required: The planning commission may grant a conditional use permit in compliance with this title if, from the application and the facts presented at the public hearing, it finds:
 - 1. The proposed use at the proposed location will not be unduly detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety or general welfare.
 - 2. The proposed use will be located and conducted in compliance with the goals and policies of the county general plan and the purposes of this title.
 - 3. That the property on which the use, building or other structure is proposed is of adequate size and dimensions to permit the conduct of the use in such a manner that will not be materially detrimental to adjoining and surrounding properties. ([8-13-4: FINDINGS AND CONDITIONS FOR APPROVAL](#))
- B. Conditions:
 - 1. In approving a conditional use permit, the planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of the county general plan and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses in the general vicinity. Minimum conditions shall be included for produced water disposal facilities, extraction of earth products and residential treatment or secure treatment facilities as indicated in section [8-13-5](#) of this chapter.
 - 2. When approving a conditional use permit, the planning commission may impose such requirements and conditions as follows: location, construction, maintenance, odor control, operation, site planning, traffic control, dust control, noise, time limits and other items for the conditional use permit as deemed necessary for the protection of adjacent properties and the public interest. The planning commission may require guarantees or other evidence that such conditions will be met and complied with. ([8-13-4: FINDINGS AND CONDITIONS FOR APPROVAL](#))

A data center development commercial use at this will not be unduly detrimental or injurious to property or improvements in the vicinity if local water withdrawal is not impacted, nor will it be detrimental to the public health safety or general welfare if the applicant adheres to the conditions proposed herein, as approved by the Planning Commission. The goals and policies of the county general plan support economic development and the supporting industries to energy development. Responsible water use is also a tenant of the General Plan, and this use should comply with this intent. With the facility allowed as a conditional use in the A-5 Agriculture Zoning District and setback from residential development, the proposed conditional use aligns with the purposes of Duchesne County zoning ordinance for regular and orderly development. The 960+ total acres included in this data center development commercial use is of adequate size and dimensions to

permit the conduct of the use in such a manner that will not be materially detrimental to adjoining and surrounding properties.

State Code 73-5-8-3

State code requires reporting from data centers with an annual water withdrawal of 75-acre feet and with facilities that expand beyond 10,000 square feet. This requirement is for all new data centers that begin operation after July 1, 2026. As such, these data centers must notify the Utah Division of Water Rights and the Utah Division of Water Quality.

State Code 54-27-201

This state code requires annual reporting to the local electric company.

Term Of Permit

Unless there is substantial action under a conditional use permit within a period of eighteen (18) months of its issuance, the permit shall be considered null and void. (8-13-6: [TERM OF PERMIT](#))

CONCLUSIONS

1. The request complies with the requirements of the Duchesne County Zoning Ordinance.
2. The request is valid.

RECOMMENDATION

A recommended motion may be as follows: “I move to approve this proposal to develop and operate a data center development commercial operation, as described, with the following conditions:

1. A business license be obtained and maintained for the duration of the operation.
2. Appropriate landscaping and/or screening materials will be used. A livestock fence with warnings and contact information shall be constructed prior to operation and always maintained.
3. Electric interconnections shall meet county code, including having engineered plans (by an engineered licensed in the State of Utah), with said plans meeting the current building code cycle, and all plans must be approved by the County Building Official, or their designee.
4. The designee of the Emergency Management Department shall approve the plans and siting of the structures involved in this solar power plant for Wildland-Urban Interface compliance, and send a copy of their written approval to the Planning Division, prior to operation.
5. The applicant shall consult with the appropriate state agencies, and provide to local and state agencies their appropriate permits prior to operation.
6. The applicant is required to resubmit substation or transmission line plans to the Planning Commission and a conditional use permit hearing opened for the new plan’s consideration, if said plans are ever needed.
7. All road approach permits required by the Duchesne County Road Department shall be approved and in place prior to operation.
8. The proposal shall meet requirements in the Duchesne County Transportation Master Plan.
9. All permits required with TriCounty Health shall be approved prior to operation.
10. Applicant complies with state code 73-5-8-3 and 54-27-201.

CONDITIONAL USE PERMIT

Nine Mile Data, LLC Data Center Development Commercial Use

April 2, 2026

11. Applicant complies with all nuisance ordinances.
12. Applicant comply with all off-street parking requirements.

Recommended to the Planning Commission this day, April 2, 2026, by

Duchesne County Zoning Administrator



Mike Gottfredson AICP

Deputy Director of Community Development

ENERGENCE UTAH, LLC.
NINE MILE DATA, LLC.
DATA CENTER DEVELOPEMENT

PROJECT NARRATIVE

March 11, 2025

Project #: 2509-064

Prepared by:



**Jones & DeMille
Engineering**

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1. EXECUTIVE SUMMARY

Energence Utah, LLC plans to develop a large-scale data center complex approximately six miles southwest of Myton, Utah. The project will utilize about 475 acres of a larger 879-acre land area composed of three contiguous A-5 zoned parcels located along Wells Draw Road. Construction is targeted to begin in 2026, with operations commencing by 2029, and a planned facility lifespan of at least 50 years. The site was selected to avoid impacts to residences— the nearest being roughly 6,000 feet away—as well as to avoid scenic viewsheds, historical resources, and environmentally sensitive areas. The data center will rely primarily on adjacent solar and natural gas generation facilities developed by Energence Utah, ensuring local energy demands are not negatively affected. Water use will be minimal, limited to culinary needs and landscaping, and on-site wastewater will be handled through septic systems in coordination with Tri-County Health Department.

The project represents an estimated \$10 billion investment, with 20–30% expected to be spent locally on labor, services, and construction-related needs. Employment impacts include up to 1,000 workers at construction peak and 200 full-time employees during long-term operations. The development is projected to generate approximately \$74.7 million in annual property tax revenue, offering substantial economic benefit to Duchesne County. Energence Utah plans to implement full perimeter security, spill-prevention measures, and a transportation plan that accommodates construction traffic and routine operations. While the site lies within the general range of several sensitive species, no habitats have are known to Energence Utah. Overall, the project is designed to minimize environmental and community impacts while delivering significant economic and infrastructure benefits to the region.

2. GENERAL

Energence Utah, LLC (Energence Utah) is planning to construct a Data Center approximately 6 miles southwest of Myton, Utah. This data center is anticipated to be constructed on three contiguous parcels with a combined area of approximately 879 acres, though only approximately 475 acres will be used for the Data Center. This document outlines the plans for this development.

2.1. LOCATION AND EXISTING ZONING

This data center is planned to be constructed approximately 6 miles southwest of Myton, Utah on three parcels located to the west of, and abutting Wells Draw Road. These parcels leased by Energence Utah have a combined area of approximately 879 acres, though only approximately 475 will be used for this project. All parcels are zoned as A-5.

The parcels that will be used for the construction of the data center are as shown in Table 1 these parcels are shown on the site plan on sheet OWN-01, Appendix A:

Table 1. Project Parcels

Parcel ID
00-0009-5871
00-0027-8311
00-0034-9496
00-0009-5947

The nearest parcel containing a residence is located approximately 6000 ft northwest of the data center at the nearest point see Appendix A.

2.2. SCHEDULE AND PROJECT LIFE

Elio Energy plans to begin construction of the project in 2027 with a goal of beginning operation before 2030. This facility is planned to be operated for a minimum of 50 years.

2.3. BUYERS AND MARKETS

Elio Energy intends for this development to be utilized by large data companies.

3. SITING CONSIDERATIONS

In selecting a site, Energen Utah selected parcels which are removed from inhabitants and are not encumbered by nearby county or state parks, historic trails, or special management areas. There are also no prominent viewsheds or known archeological sites that would be impacted by the construction of this development.

3.1. WATER, SOIL, AND EROSION

There are existing ephemeral channels that pass through and drain the existing site. Energen Utah Plans will not build on or near on the largest channel on site, and plans to grade the site in a way that redirects flow from the smaller channels around the site. Existing slopes within the project footprint are generally mild and stable with risk of landslides being low.

4. SITE DEVELOPMENT PLANS

See Appendix B for site development plans.

4.1. SITE UTILITIES

Energen Utah is committed to maximizing positive benefits for the community while minimizing any potential negative impacts. Elio is acutely aware of the sensitivity of Duchesne County and its residents regarding water and power resources. Energen Utah is also planning on constructing solar and natural

gas generation plants adjacent to the site that will mean that Duchesne County residents will not see an increase in energy costs and may see a reduction in energy costs due to this development.

Utilities for this development will consist of culinary water, and electricity. Culinary water use on site will be limited to supporting the needs of O&M personnel (Restrooms, sinks, breakrooms, etc), and watering landscaping.

Process and cooling water will largely come from Wasatch Energy Management through a process water system shared with the nearby natural gas power generation plant also planned on being build by Energence Utah.

Electrical power for the site will be largely provided by the adjacent solar and natural gas generation power plants planned by Energence Utah on adjacent parcels, though power may be provided at times from Deseret Power or from PacifiCorp through Moon Lake Electric Association as retail electric provider.

Energence Utah plans to utilize septic systems to handle on site wastewater. Energence Utah will work with Tri-County Health Department to ensure that on-site facilities are built in compliance with relevant regulations.

4.2. PARKING

Parking requirements for this use are not provided in Duchesne County Code Chapter 12. Energence Utah plans to provide 40 parking stalls per on site building, producing a total of 400 combined parking spaces.

Energence Utah anticipates that the maximum number of personnel on site for operations will be 200, meaning that 400 parking spaces should be more than adequate.

5. ANALYSIS OF ECONOMIC BENEFITS

This project is estimated to cost approximately \$10 Billion. 20-30% of this is expected to be spent on local labor, equipment rental, construction services, fuel, food, and lodging. During the construction phases, this project will employ up to one thousand workers at its peak. For operation, 200 individuals will be employed long term.

This project is anticipated to produce approximately \$74.7 million in real and personal property taxes per year once complete.

6. SAFETY/ACCESS

At full buildout, Energence Utah will install security fencing around the entire development. This fencing will include Knox Boxes and keys at locked entrances for emergency access. Appropriate warning signage will be placed at entrances and along the perimeter of the security fence. The facility will have a main gate house with 24-hour security personnel.

7. VISUAL IMPACTS, APPEARANCE, AND SCENIC VIEWSHEDS

The data center is not located within any scenic viewsheds. Emergence Utah plans on landscaping portions of the site along Wells Draw Road to increase the visual appearance of the development.

8. WILDLIFE HABITAT AREAS AND MIGRATION PATTERNS

The chosen site development location is located within the range of the following threatened or endangered species:

- Western Yellow Billed Cuckoo
- Bald and Golden Eagles
- Monarch Butterflies
- Sclerocactus Species

While the chosen site is within the range of these species, there are currently no known individuals or habitats within the development extents.

9. SOLID AND HAZARDOUS WASTE

Solid waste removal for the site will be very minor following construction; mostly small amounts of solid waste from operations and maintenance. Emergence Utah plans to utilize local solid waste services for removal of solid waste during construction and operation.

Standard spill control measures for the site will include secondary containment, spill kits, staff training, and procedures for cleanup and reporting. Any spills are expected to be minor, quickly contained, and easily managed.

10. HEIGHT RESTRICTIONS AND FAA HAZARD REVIEW

This development is not within any applicable airport overlay zoning areas.

11. TRANSPORTATION PLAN FOR CONSTRUCTION AND OPERATION PHASES

The main intended route for traffic for the construction and operation of this development will be as shown in Appendix E.

Expected traffic amounts for this development will include heavy trucks to transport construction materials and equipment. During the peak of construction, 25 trucks per day are anticipated. During the operation phase, most traffic will be comprised of passenger vehicles and pickup trucks driven by O&M staff.

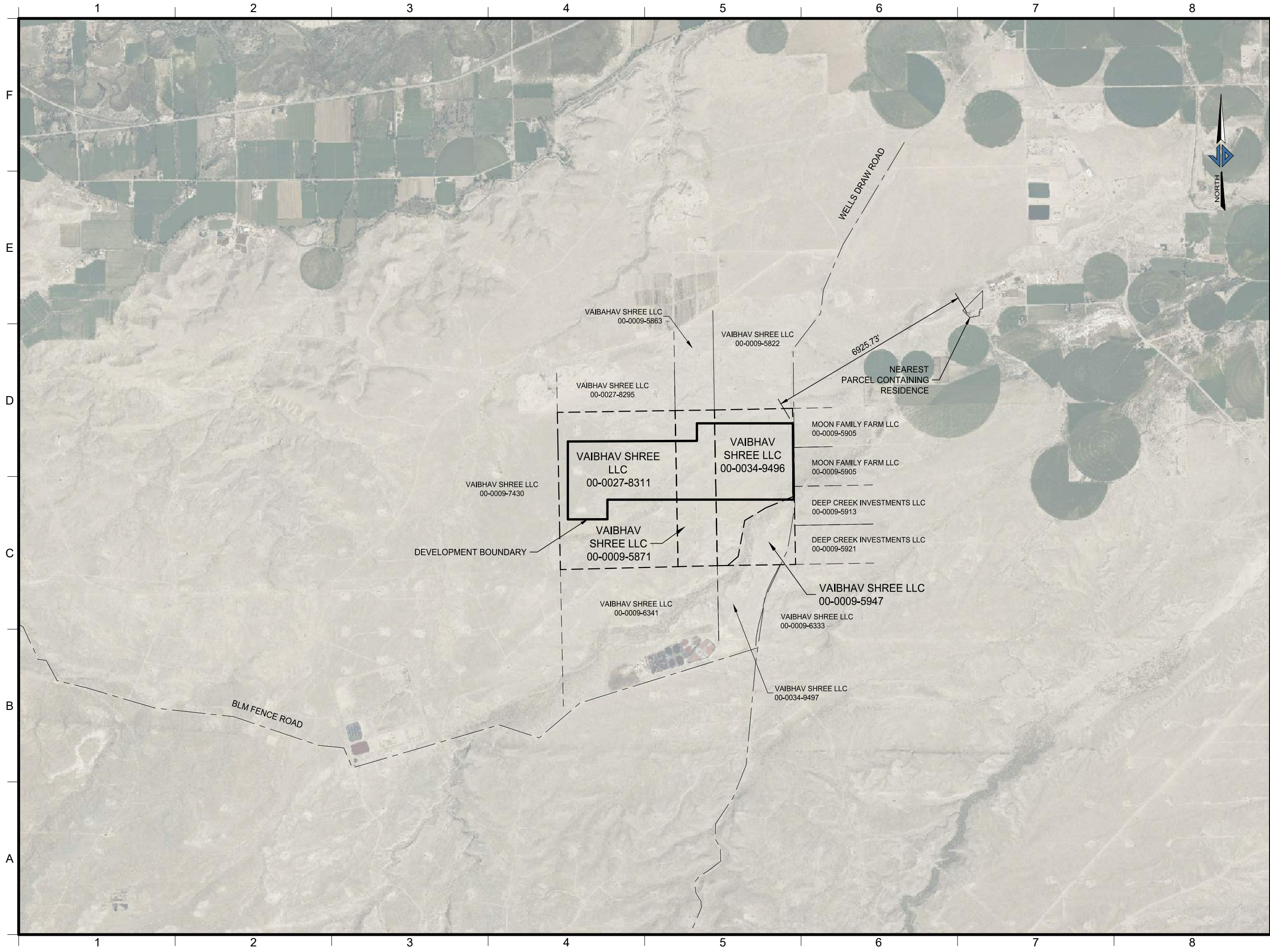
12. PUBLIC SAFETY

There are no known hazards to the public safety associated with this development.

13. NOISE LIMITATION

Energence Utah plans to comply with the Duchesne County Nuisance Ordinance, subsection 3-1-4-G regarding noise.

APPENDIX A. OWNERSHIP AND PARCELS



ELIO ENERGY GROUP
LLC

WELLS DRAW DATA
AND POWER
DEVELOPMENT

JDE No. 2509-064

SUBMITTAL
REVIEW - NOT FOR
CONSTRUCTION

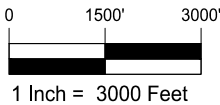
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Engineering
jonesanddemille.com
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OWNERSHIP AND PARCELS

OWN-01

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APPENDIX B. SITE LAYOUT

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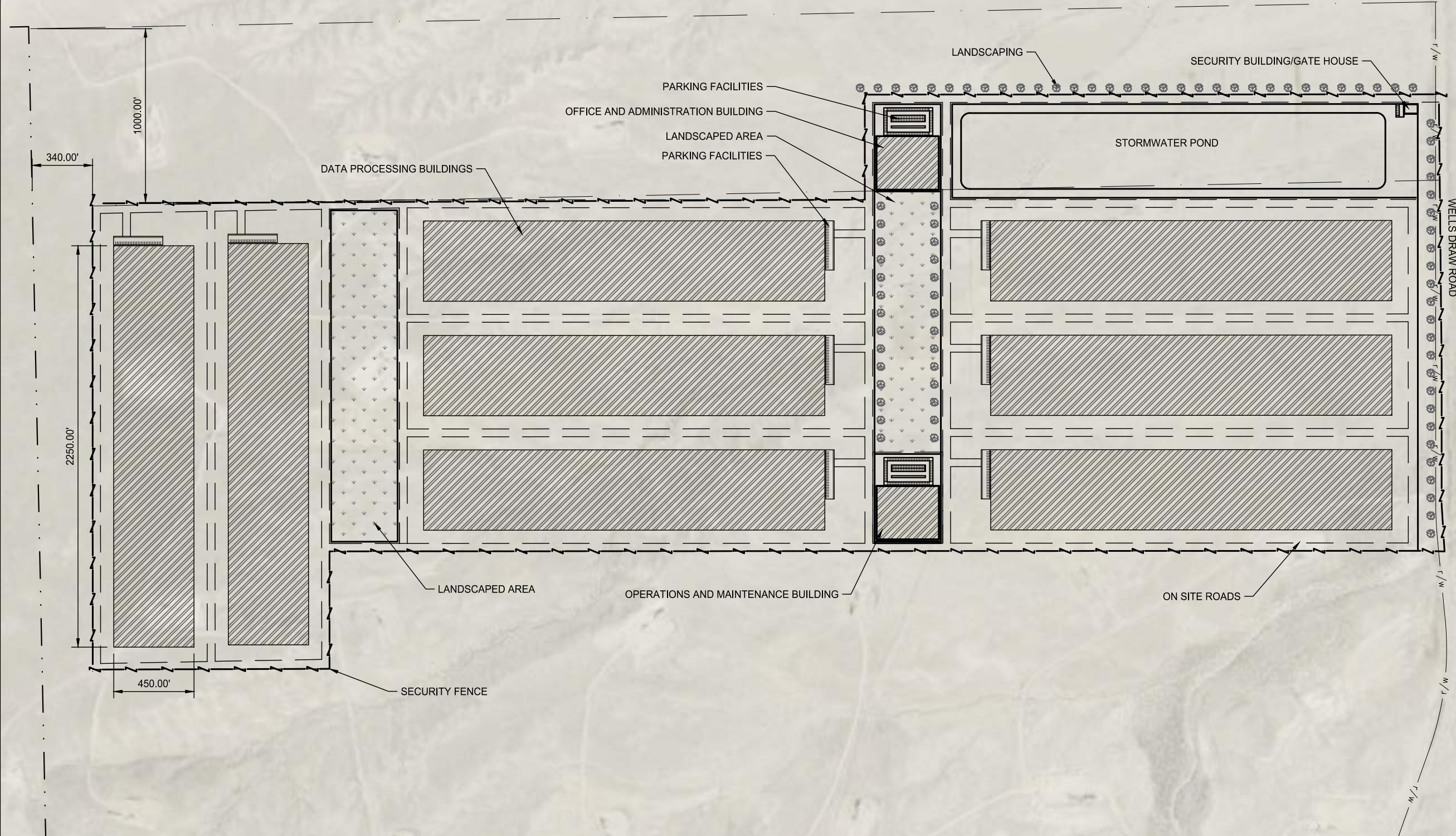
E

D

C

B

A



SITE FEATURES		
BUILDING AREA	8,313,735	SQUARE FEET
PARKING AREA	191,715	SQUARE FEET
LANDSCAPING AREA	1,234,870	SQUARE FEET
TOTAL FENCED AREA	17,637,500	SQUARE FEET



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WELLS DRAW DATA
AND POWER
DEVELOPMENT

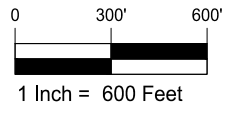
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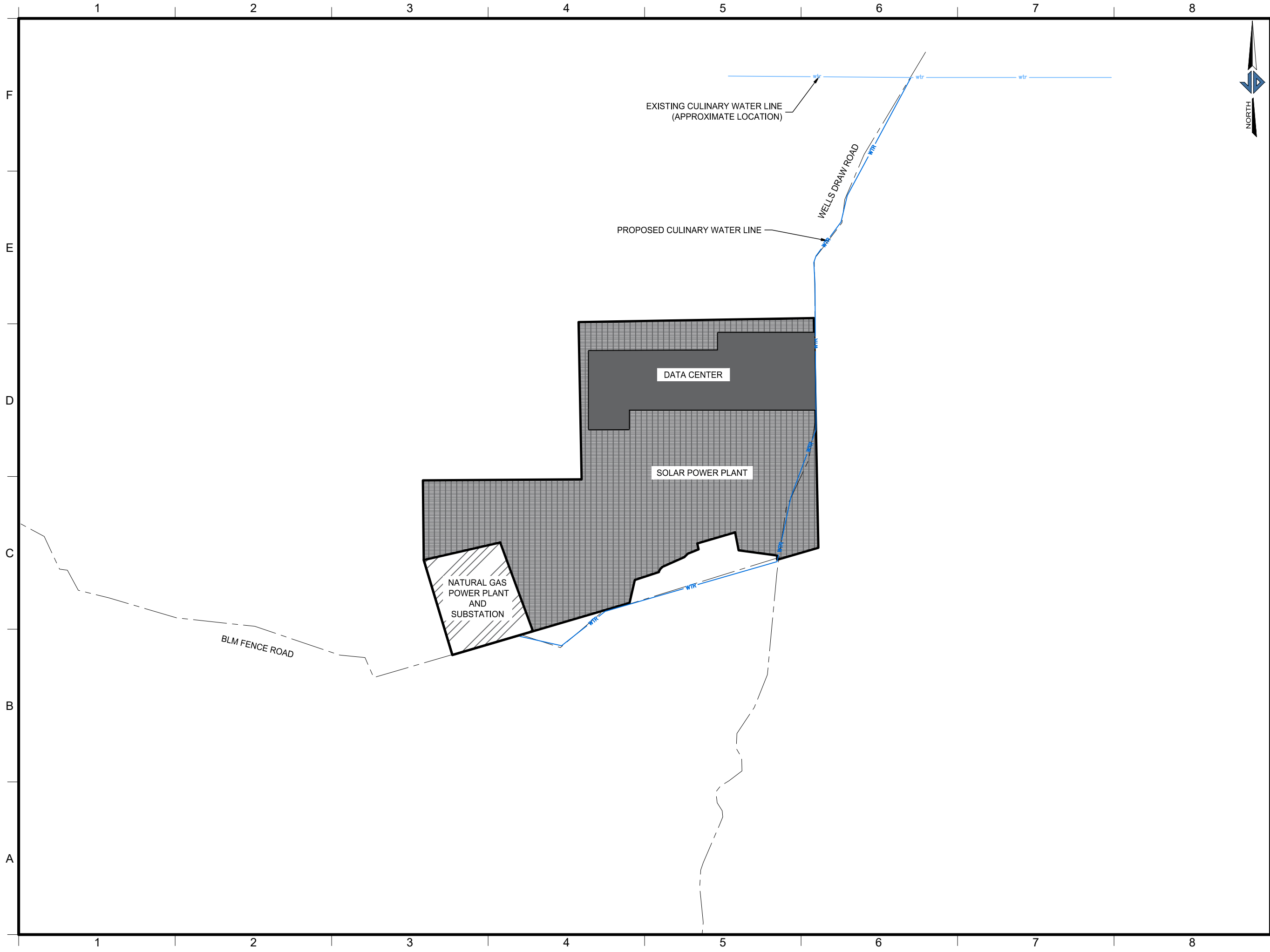


SITE PLAN

SP-01

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APPENDIX C. UTILITY LAYOUT



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WELLS DRAW DATA
AND POWER
DEVELOPMENT

JDE No. 2509-064

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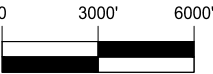
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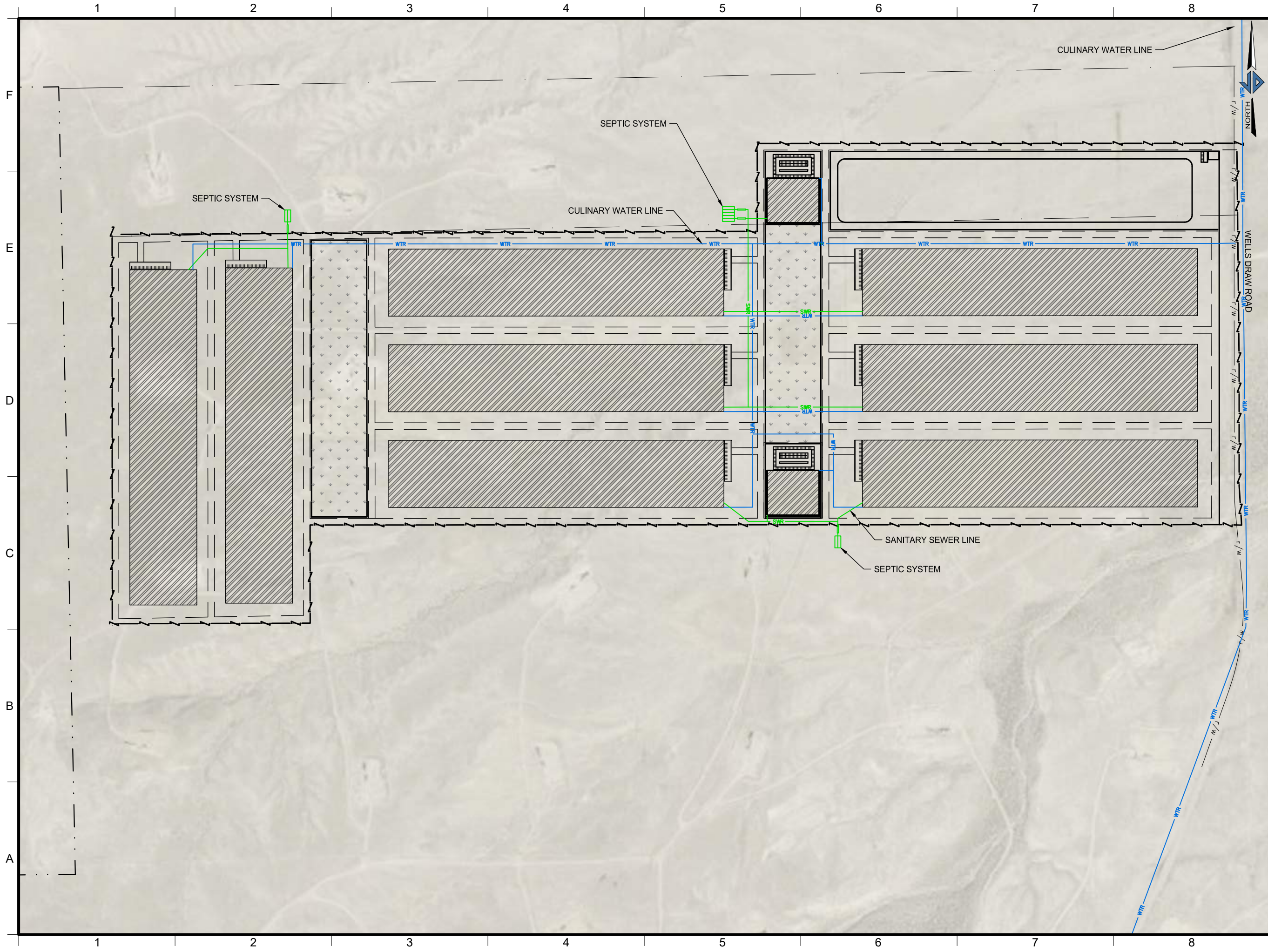
1 Inch = 6000 Feet



UTILITY PLAN

UP-01

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ELIO ENERGY GROUP
LLC

WELLS DRAW DATA
AND POWER
DEVELOPMENT

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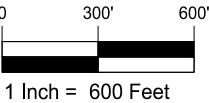
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UTILITY PLAN

UP-02

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APPENDIX D. POWER LINE ROUTES



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WELLS DRAW DATA
AND POWER
DEVELOPMENT

JDE No. 2509-064

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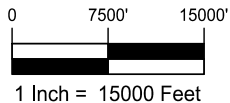
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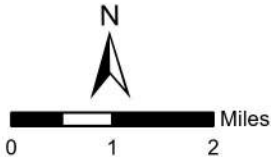
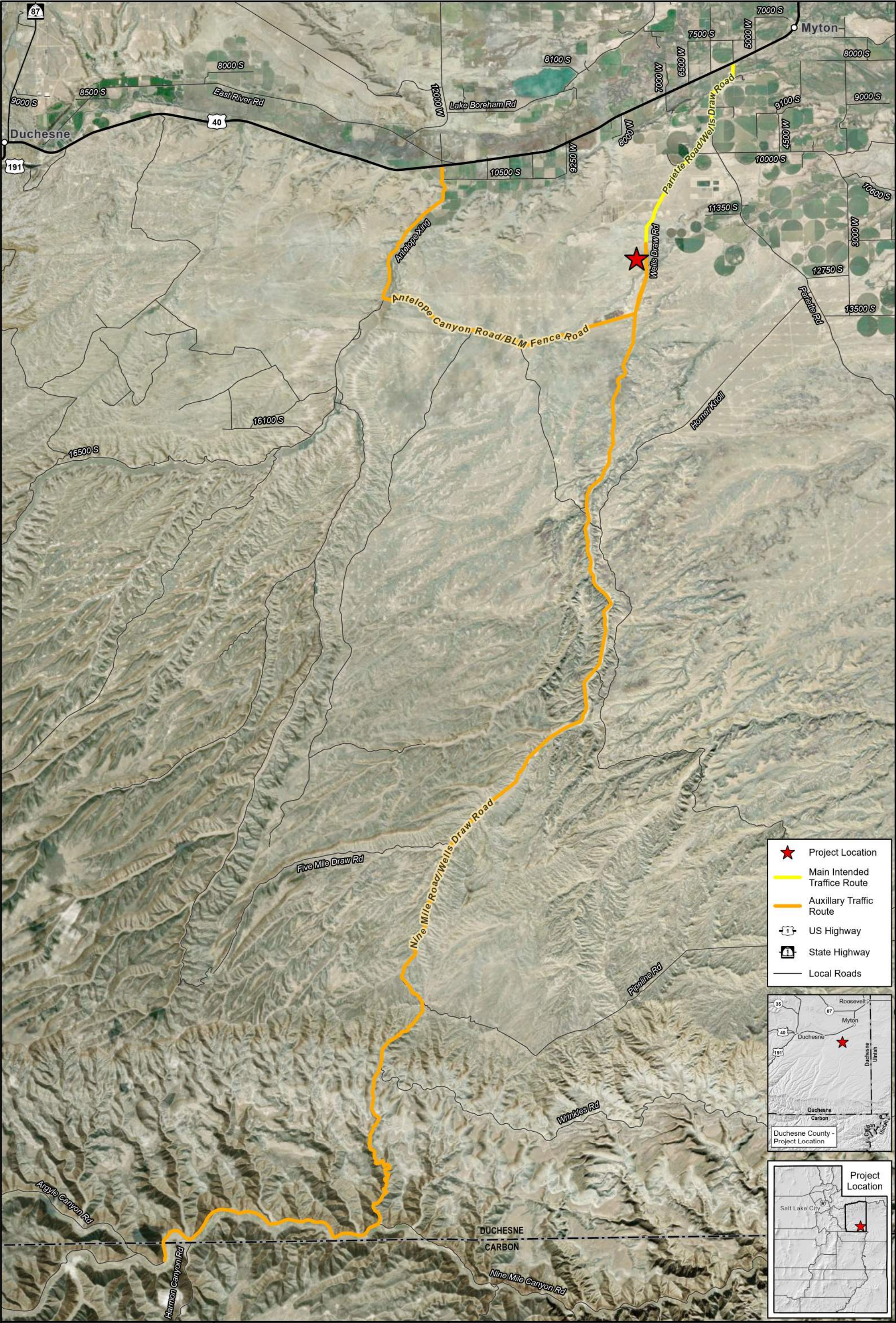
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CONNECTION TO
ELECTRICAL POWER
INFRASTRUCTURE

EPP-01

APPENDIX E. SITE ACCESS PLAN



**Jones & DeMille
Engineering**

Elio Energy Group, LLC

**Wells Draw Conditional Use Permitting
Project Location Overview**

Map Name: H:\2509-064\GIS\Projects\2509-064_Design\2509-064_Design.aprx - Elio Energy - Wells Draw Permitting - Project Location Overview 11x17P
Project Number: 2509-064 Drawn by: JEM 03-25 Last Edit: 03/05/2026

**Duchesne County,
Utah**

Scale: 1" = 2 miles