



**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF WATER RESOURCES**

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February 8, 2019

VIA E-MAIL AND REGULAR MAIL

Stephen Palmer  
Office of the Solicitor  
2800 Cottage Way, Room E-1712  
Sacramento, CA 95825-1890

Re: Request for Extension of Time to File Evidence and Witness Statements in the  
Diamond Valley Adjudication

Dear Mr. Palmer:

The State Engineer received your request dated January 30, 2019, on behalf of the Bureau of Land Management (BLM) for a 3 week extension of the filing deadline for evidence and witnesses and for the hearing date for BLM's objection in the above-referenced matter. The request is opposed by Eureka County.

Due to the impending deadline of February 1, 2019, for BLM to file its evidence and witness lists, I telephonically granted BLM a 3 week extension of its filing date on January 31, 2019, and this correspondence shall confirm that extension. Good cause supported granting BLM an extension, due to the issuance of the Notice of Hearing with associated filing dates on January 10, 2019, which was during the partial federal government shutdown. The BLM and Office of the Solicitor were without notice of the requiring filing deadline until returning to work on January 28, 2019 – just 5 days before the deadline.

Notwithstanding, having reviewed the objection filed by Eureka County, please allow this letter to clarify that the purpose of the extension is to allow the BLM additional time to file affirmative evidence and to identify witnesses in support of BLM's objection filed to the Preliminary Order of Determination. Additionally, to avoid any allegation of unfairness to the parties that have already filed their evidence and witness statements concerning objections to the BLM's PWR claims, the State Engineer will withhold posting these submittals to the State Engineer's public website until BLM's evidence and witness statements are filed.

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With respect to any extension of the hearing date on BLM's objection, the request is denied. As identified by Eureka County in its objection, as early as June 2017, the State Engineer identified February 11, 2019 to March 1, 2019, as the time period for a hearing on the objections. This time frame was reiterated in the August 31, 2018, notice concerning issuance of the Preliminary Order of Determination. Because the time period of the hearing has been known to all parties for quite some time, and because the State Engineer has committed to issuing the Order of Determination in January 2020, he will not consider resetting any appearances at the hearing outside the time frame already established for the hearing.

If you have any questions regarding the foregoing, please do not hesitate to contact this office.

Sincerely,



Kristen Geddes  
Chief, Hearing Section

KG/jm

**SERVICE LIST**

Request for Extension of Time to File Evidence and Witness Statements in the Diamond Valley Adjudication.

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Valley Adjudication

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