

PAUL G. TAGGART
SONIA E. TAGGART

TAGGART & TAGGART, LTD.

A PROFESSIONAL CORPORATION
108 NORTH MINNESOTA STREET
CARSON CITY, NEVADA 89703
www.nvwaterlaw.com

DAVID H. RIGDON
TIMOTHY D. O'CONNOR
EVAN J. CHAMPA
DAVID A. BAILEY

January 23, 2019

Kristen Geddes
Chief Hearing Officer
Division of Water Resources
901 South Stewart Street, Suite 2002
Carson City, Nevada 89701

Re: Waiver of Appearance at Hearing

Dear Hearing Officer Geddes:

Kobeh Valley Ranch ("KVR") is in receipt of the State Engineer's January 10, 2019, letter entitled *Notice of Hearing on Objections* for the Diamond Valley Adjudication. Section III of that letter, and Nevada Revised Statute 533.145, establishes that a claimant may proceed to waive appearance at the scheduled hearing.

Please take notice that KVR has instructed this firm that KVR wishes to waive its appearance at the hearing set to occur between February 11-15, 2019. KVR's waiver of its right to hearing is based on the *Notice of Hearing on Objections* letter, the applicable statutory rules, and KVR's understanding, based on conversations with the Hearing Officer, that documents filed prior to KVR's *Objections to the Preliminary Order of Determination* are a part of the record for the Diamond Valley Adjudication.

KVR's records indicate that among the documents filed in preparation of the Diamond Valley Adjudication are the Proofs of Appropriation¹ and Amended Proofs of Appropriation.² Attached to these proofs are supporting documents, including, but not limited to, maps, tables, and reports pertaining to historical water use. Similarly, KVR referenced documents on file at the Office of the State Engineer in its *Objections to the Preliminary Order of Determination*. Accordingly, KVR's waiver of its right to appearance at hearing is based on the inclusion of all these documents and that they are part of the record that will be considered by the State Engineer prior to the issuance of the Final Order of Determination.

//
//

¹ V04147, V04148, V04471, V04472, V04473, V04474, V04475, V04476, V04477, V04478, V04479, V04480, V04511, V10887, V10888, V10889, V10890, V10891, V10892, V10893, V10894, V10895, V10896, V10897, V10898, V10899, V10900, V10901, V10902, V10903, V10904, V10905, V10906, V10907, V10908, V10909, V10910, V10911, V10912, V10913, V10914, V10915, V10916, and V10917.

² V04476, V04477, V04478, V04479, V04480, V10916, and V10917.

RECEIVED
2019 JAN 23 PM 12:10
STATE ENGINEERS OFFICE

Jason King, P.E.
Nevada State Engineer
Division of Water Resources
October 5, 2018
Page 2

Should you have any questions or concerns, please feel free to contact this office.

Sincerely,



Evan J. Champa, Esq.
TAGGART & TAGGART, LTD.