## **VENT\_251**

**VENT\_251** 

## In The Matter Of:

State of Nevada - Division of Water Resources Applications 81719, 81720 and 81825

> Public Hearing June 03, 2013

Capitol Reporters 515 W. Fourth Street Suite B Carson City, Nevada 89703 775-882-5322

Original File wthg6-3-13l.txt
Min-U-Script® with Word Index

```
STATE OF NEVADA
              DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
                            DIVISION OF WATER RESOURCES
                   BEFORE SUSAN JOSEPH-TAYLOR, HEARING OFFICER
      IN THE MATTER OF APPLICATIONS 81719, 81720 and 81825
10
                               TRANSCRIPT OF PROCEEDINGS
                                    PUBLIC HEARING
11
12
                                 PRE-HEARING CONFERENCE
                                  MONDAY, JUNE 3, 2013
13
14
16
17
18
1 9
20
21
                                              CAPITOL REPORTERS
23
     Reported by:
                                              CARTION REPORTERS
BY: MICHEL LOOMIS, NV CCR #228
515 West Fourth Street, Suite B
Carson City, Nevada 89703
24
25
                          (775) 882-5322
CAPITOL REPORTERS (775) 882-5322
```

```
APPEARANCES:
     Susan Joseph-Taylor, Chief Hearing Officer
Section of the Division of Water Resources
      Malcolm Wilson, Assistant Hearing Officer
      Jason King, State Engineer
      Kevin Hickenbottom, Deputy State Engineer
      Rick Felling, Chief Hydrologist
      Steve Walmsley, Water Resource Specialist
                                             Taggart & Taggart, Ltd.
By: Paul G. Taggart, Esq.
10
      For Sadler Ranch, LLC:
11
12
     For Daniel Venturacci:
                                             Brent Kolvet, Esq.
13
     For Kenneth Benson,
Diamond Cattle Company
and Etcheverry Family
Limited Partnership:
14
15
                                             Therese A. Ure, Esq.
16
17
      For Diamond Natural
Resources Protection and
18
      Conservation Association:
                                             Bob Burnham
19
      For James Gallagher:
                                             James Gallagher
20
      For Mark Moyle Farms:
                                             Mark Movle
21
      For Eureka County:
                                             Karen A. Peterson, Esq.
                                             Theodore Beutel, Esq.
22
     Also present:
                                             Chairman Ithurralde
Vice Chairman Goicoechea
Dale Bugenig
Jake Tibbitts
23
24
25
                          CAPITOL REPORTERS (775) 882-5322
```

```
CARSON CITY, NEVADA, MONDAY, JUNE 3, 2013, 1:30 P.M.
                               -000-
                 THE COURT: Let's be on the record. Good
    afternoon. As set forth in the hearing notice of
    May 9th, 2013, this is the time and place noticed for a
    prehearing conference in the matter of protested applications
    81719, 81720 and 81825.
                  For the record, my name is Susan Joseph-Taylor
    and I'm a deputy administrator with the Division of Water
10
11
    Resources. On my left is State Engineer Jason King. On his
    left is Deputy State Engineer Kelvin Hickenbottom. And then
    chief hydrologist, Rick Felling. I want to introduce those of
13
    you who come here often to Malcolm Wilson, he's our new
15
    assistant hearing officer. And on his right is Steve Walmsley
16
    with our adjudication section.
17
                 At this time I'll take appearances for the
18
    record. Let's start with the applicant, Sadler Ranches.
                 MR. TAGGART: Good afternoon, Paul Taggart on
19
20
    behalf of Sadler Ranches.
                 THE COURT: Thank you, Mr. Taggart. For
21
22
    Daniel Venturacci?
23
                 MR. KOLVET: Brent Kolvet.
24
                 THE COURT: Thank you. Welcome back.
                 MR. KOLVET: Thank you.
CAPITOL REPORTERS (775) 882-5322
25
```

```
THE COURT: Kenneth Benson?
                  MS. URE: Therese Ure, I'm also representing
    Diamond Cattle Company and Etcheverry Family Limited
    Partnership.
                  THE COURT: Thank you. Welcome back, Ms. Ure.
    Diamond Natural Resources Protection & Conservation
    Association?
                 MR. BURNHAM: Bob Burnham.
                 THE COURT: I couldn't hear you, sir.
10
                 MR. BURNHAM: Bob Burnham.
                 THE COURT: Spell your last name, please.
11
12
                 MR. BURNHAM: B-U-R-N-H-A-M.
13
                  THE COURT: Thank you. Court reporter has to
    hear you too. James Gallagher?
14
                 MR. GALLAGHER: Jim Gallagher.
                 THE COURT: On behalf of yourself. Welcome,
16
17
    Mr. Gallagher. Dusty Moyle? Hearing no one. James Moyle?
18
    Hearing no one. Mark Moyle Farms?
19
                 MR. MOYLE: Mark Moyle representing myself.
20
                 THE COURT: Hi, Mr. Moyle. And Mark Moyle
    representing yourself also.
21
22
                 MR. MOYLE: Yeah
                 THE COURT: As set forth in Nevada Administrative
23
    Code, Chapter --
24
                 MS. PETERSON: Excuse me.
CAPITOL REPORTERS (775) 882-5322
```

```
THE COURT: Oh, I'm sorry.
                 MS. PETERSON: Karen Peterson for Eureka County,
    Karen Peterson, Allison MacKenzie law firm. And to my left is
    Ted Beutel, the District Attorney. And I also wanted to note
    for the record that two of the commissioners are here,
    Chairman Goicoechea and Vice Chairman Ithurralde and also
    Jake Tibbitts who's the head of natural resources for Eureka
    County and also Dale Bugenig, the hydrologist.
                 THE COURT: I'm not quite sure I have those names
    all spelled for the court reporter. Buttel, B-U-T-T-E-L?
                 MR. BEUTEL: B-E-U-T-E-L, common spelling.
11
                 THE COURT: T-E-L. Mr. Ithurralde, is that what
12
    vou said. Karen?
13
14
                 MS. PETERSON: Yes.
                 THE COURT: Could you spell your name for the
16
    court reporter, please?
17
                 MR. ITHURRALDE: Yes, I-T-H-U-R-R-A-L-D-E.
                 THE COURT: Mr. Goicoechea?
18
19
                 MR. GOICOECHEA: G-O-I-C-O-E-C-H-E-A.
20
                 THE COURT: Thank you. Do you have one more,
21
    Karen?
22
                 MS. PETERSON: Dale Bugenig.
                 THE COURT: Spell your name for the court
23
24
    reporter, please?
                 MR. BUGENIG: B-U-G-E-N-I-G.
CAPITOL REPORTERS (775) 882-5322
```

```
THE COURT: Thank you, gentlemen.
                  MS. PETERSON: And then Jake Tibbitts.
                  THE COURT: Jake, hi, you're behind Paul there.
                  MR. TIBBITTS: T-I-B-B-I-T-T-S.
                  THE COURT: Welcome. As set forth in Nevada
    Administrative Code, Chapter 533 the court reporter will file
    an original and one copy of the transcript with the State
    Engineer. Anyone wanting a copy of the transcript can make
    arrangements with the court reporter. The cost of this
10
    prehearing conference transcript is going to be shared equally
11
    by all the parties.
12
                 As provided in Nevada Administrative Code 533,
    Section 300 I'll take administrative notice of the files and
13
    records of the office of the State Engineer.
15
                 I want to introduce some exhibits to get us
    started and it's going to take just a minute, but it will get
16
    us over that hurdle before we ever go to hearing. So we'll
17
18
    just take a minute, Shellie and I will give you the exhibits.
19
                  Exhibit 1 is notice of prehearing conference
20
    dated May 9th, 2013.
21
                  Exhibit 2 is State Engineer's order 1226.
22
                  Exhibit 3 is application 81719.
23
                  Exhibit 4 is Diamond Natural Resources Protection
    and Conservation Association protest to application 81719.
                  Exhibit 5 is the Etcheverry Family Limited CAPITOL REPORTERS (775) 882-5322
25
```

```
to application 81719.
                  Exhibit 6 is Eureka County protest to application
    81719.
                  Exhibit 7 is James Gallagher protest to
    application 81719.
                  Exhibit 8 is Mark Moyle Farms, LLC protest to
    application 81719.
                  Exhibit 9 is application 81720.
                  Exhibit 10 is Diamond Natural Resources
10
11
    Protection and Conservation Association protest to application
13
                  Exhibit 11 is a Etcheverry Family Limited
    Partnership, Diamond Cattle Company and Kenneth Benson protest
14
    to application 81720.
15
16
                  Exhibit 12 is Eureka County protest to
17
    application 81720.
18
                  Exhibit 13 is James Gallagher protest to
19
    application 81720.
20
                  Exhibit 14 is Mark Movle Farms, LLC protest to
21
    application 81720.
22
                  Exhibit 15 is application 81825.
23
                  Exhibit 16 is Diamond Cattle Company protest to
    application 81825.
25
                  Exhibit 17 is Dusty Moyle protest to application CAPITOL REPORTERS (775) 882-5322
```

Partnership, Diamond Cattle Company and Kenneth Benson protest

```
81825.
                   Exhibit 18 is Etcheverry Family Limited
     Partnership, Diamond Cattle Company and Kenneth Benson protest
     to application 81825.
                  Exhibit 19 is Eureka County protest to
     application 81825.
                   Exhibit 20 is James Moyle protest to application
     81825.
                  Exhibit 21, Kenneth Benson protest to application
     81825.
11
                  Exhibit 22, Mark Moyle protest to application
12
     81825.
13
                  Exhibit 23, proof of appropriation number
14
    V-01115.
                  Exhibit 24, amended proof of appropriation number
16
    V-01115.
17
                  Exhibit 25, second amended proof of appropriation
    number V-01115.
18
19
                  Exhibit 26, proof of appropriation number
20
                  Exhibit 27, proof of appropriation number
21
22
     V-03290.
23
                  I've given everyone a -- for the record, I've
24
     given everyone a copy of this exhibit list and each of the
    legal counsel should have found on their table copies of CAPITOL REPORTERS (775) 882-5322
```

```
Exhibits 1 through 27. Did you all get those?
                  MR. KOLVET: I did.
                  THE COURT: Any objection to the admission of
    Exhibit 1 through 27?
                  MR. KOLVET: No objection.
                 THE COURT: Hearing none, they will be admitted.
                  (Exhibits 1-27 received.)
                  THE COURT: I'm training while I'm doing this, so
    excuse me one second, Ms. Ure. As you go through a hearing
    and anyone identifies an exhibit on the record, I always check
11
12
                 Ms. Ure?
13
                 MS. URE: It appears that Exhibit 21 is
14
    duplicative to 18.
                 THE COURT: No, it's a separate one, Ms. Ure.
                 MS. URE: Okay. It just -- the reference --
16
17
                  THE COURT: Let's look at 18 and make sure. You
    know you filed two.
18
19
                 MS. URE: Oh, okay. I remember.
20
                 THE COURT: I remember two.
                 MS. URE: Thank you.
21
                  THE COURT: You're welcome. So we got you all
22
23
    here to talk about how to proceed with going to hearing on
24
    these applications and protests. Excuse me, I feel like I'm a
    little kid down here. Are there any preliminary matters that CAPITOL REPORTERS (775) 882-5322
```

```
anyone needs to address before we get started talking about
    hearing dates, exhibit exchanges?
                 MS. PETERSON: Yes, I had some preliminary
    questions.
                 THE COURT: Okay.
                 MS. PETERSON: I was wondering the reason for
                 THE COURT: You don't need to stand,
    Ms. Peterson.
10
                  MS. PETERSON: Thank you. Having the hearing on
11
    just the two Sadler applications 81719 and 87120 and the one
12
    Venturacci application 81825 when there have been other
13
    filings.
                  THE COURT: We discussed that this morning,
14
    Ms. Peterson, if anyone -- I hadn't noticed the Sadler change
15
    app on 82268.
16
                 MS. PETERSON: Yes.
17
18
                 THE COURT: And then this morning the State
19
    Engineer brought up applications 82570, 71, 72 and 73. We
20
    have no objection if we want to make it a hearing on all of
21
    those and we anticipated that issue coming up.
22
                 MR. KOLVET: That would be our request
23
    subsequently.
24
                  THE COURT: Okav.
                 MR. TAGGART: We -- from the Sadler Ranch we do CAPITOL REPORTERS (775) 882-5322
25
```

```
not object to adding 82268 to the hearing. I -- I will point
    out though that I think there might be an additional
    Protestant to this application in the group that you gave
    notice to for this hearing.
                 MR. KOLVET: I believe that's the same with all
    of our applications.
                 THE STATE ENGINEER: And who would that
    Protestant be?
                 THE COURT: No, they're here this year.
                 MR. KOLVET: They're here, but they --
10
11
                 THE COURT: She represents Etcheverry.
                 MR. KOLVET: Right. They're here, but I don't
13
    know that they were noticed on the second application.
                 THE COURT: Mr. Felling is here --
14
                 MR. TAGGART: So I guess if they're here and they
15
    waive any objection to us adding that and any -- you know, I
16
    don't know what rights there are to having notice of a
17
18
    prehearing conference, but just being careful. I mean, if
19
    they're already here then that can get taken care of.
20
                 THE COURT: All those people were noticed. I
21
    have not looked at applications 82570 through 73, but I'm
22
   assuming it would be a lot of the same parties. We would do a
23
    new hearing notice scheduling a hearing and they will be of
    course put on that service list and those applications added.
    I'm not that concerned about it with everyone having been CAPITOL REPORTERS (775) 882-5322
25
```

here. Ms. Ure, are you concerned about notice on -- for your clients on those other applications? MS. URE: No, Your Honor. THE COURT: Thank you. So, Ms. Peterson, anything else? MS. PETERSON: I do have some questions. THE COURT: Okay. MS. PETERSON: I was wondering because of the nature of Diamond Valley and it being over appropriated and 10 these applications being all in the 8100 series or later, what -- what the priority of these applications would be? 11 12 THE COURT: Well, you're just reading my mind of everything I talked about this morning. I think that's a 13 14 topic for discussion, I don't know if it's a topic for briefing for legal argument. For right now under the statute 16 their priority date is the date of their filing, but if 17 they're too -- you know, take care of -- I can't think of the word --18 19 THE STATE ENGINEER: Mitigate. 20 THE COURT: -- mitigate some lost senior rights I think that's a topic that's going to be argued about in this 21 22 proceeding. And that's one of the questions we wanted to ask 23 you is how do you want to approach that issue? I mean, do we 24 want legal briefing on it, do we want oral argument on it? MR. TAGGART: Well, if the issue's contested. CAPITOL REPORTERS (775) 882-5322

12

hearing to see where you're at on that, to see if you could

THE COURT: Which it is. MR. TAGGART: I assume it is, I'm not sure, but -- but we definitely are going to take the position that this is a mitigation water right and that we get the priority and the duties of the right that's being substituted. And -and so we anticipate that a large amount of the hearing will be about the origin of the right, the date, the priority, the -- the duty, the actual place of use, all of that information to establish what the original nature of the right 11 And then that was what we're going to be asking 12 become the -- it's the same right just from a different --13 from a pipe instead of a -- from an artesian source. So -- so 14 our position is going to be it's a substitute right and it has 16 MR. KOLVET: And I would concur in all of that. 17 MS. URE: And we object. I think the underlying rights are vested claims if I'm not mistaken and those have 18 19 not been adjudicated yet. So, in order to establish anything on the mitigated rights, the duty, the priority I believe that the underlying rights need to be adjudicated first. 21 THE COURT: So, how do you want to approach 23 putting that issue into your record? I mean, we just had a 24 little bit of argument here. But, do you want to wait till we finish the CAPITOL REPORTERS (775) 882-5322

13

because they -- they could be amending their claims and vested

```
come to some agreement on that, to -- is there some way you
    want to preserve it in just oral argument? Do you want a
    brief, that would be fair or -- I want to make sure you
    preserve that issue because you obviously object to it so I
    want some ideas on how you'd like to approach it.
                  MR. KOLVET: Well, in our case we submitted proof
    of at least -- most of proof, there may be some supplemental
    evidence submitted with respect to the basis of our claim for
10
    vested claim, and I don't know what the number is on that.
11
    That evidence is already presented in substantial form to the
    State Engineer, it forms the basis of our application. So
12
13
    it's all kind of tied together, I don't know that it needs a
    separate adjudication per se.
                 THE COURT: Well. I'm just trying to focus on the
15
16
    priority date of the application right now.
                 MR. KOLVET: Right. And that would be part of
17
18
    the proof that would be supported in the vested claim, so.
19
                  MS. PETERSON: So, the concern is I know with the
20
    Venturacci vested -- vested claims is that, you know, the
21
    claims were originally filed by Taft and then they were
22
    amended by Thompson and then further amended by Venturacci.
23
    So I don't know which claims the Applicants would be going
    forward on and I am not sure without some more formal
    procedure how somebody can just keep on amending their claims CAPITOL REPORTERS (775) 882-5322
25
```

14

```
right all through the hearing. So, that's kind of the issue
of, you know, what they're trying to replace, we need some
definite quantification I guess of what that would be.
             THE COURT: We don't disagree with you. I saw in
this proceeding that the Applicants are going to have to be
going first. They're going to have to justify the quantities
claimed for put on their evidence as to what supports those
claims and that you Protestants have an opportunity to dispute
that.
            MS. PETERSON: Well, not --
            THE COURT: That's one of the things we're going
to talk about is, you know, all these issues and how we go
forward on them.
             MS. PETERSON: Right. And I guess another issue
if they are going to go forward on replacement claims, then do
they still have their new appropriations for supplemental
claims? These applications are so kind of overlapping and
commingled, I'm not quite sure really what we're going forward
on and what we're not going forward on. Because the first
three that were noticed -- the first three applications, two
for Sadler, one for Venturacci that were noticed for this
are -- are new appropriations but appear to be just
supplemental.
```

10

11

13

14

15

16

17

18

19

20

21

23

25

15

THE COURT: I understand that, Ms. Peterson, and CAPITOL REPORTERS (775) 882-5322

```
I have a problem with the word supplemental in these
    applications also. And see, the applications were filed
    before order 1226 came out which provided for these
    replacement waters for vested rights that had gone away. I'm
    not sure so sure I see them really as supplemental as opposed
    to replacement. Mr. Taggart?
                  MR. TAGGART: I agree with that. Supplemental
    groundwater, that term has a specific meaning and the word was
    used here not -- you know, it's not supplemental groundwater
10
    rights, but, I mean, it's clearly stated that it's intended to
    be a replacement for basically spring and tributary.
11
12
                  I think the application's clear what the intent
13
    is. There is the use of the word supplemental resources.
14
    That doesn't say supplemental groundwater, but I -- I -- I
    would intend on being very specific that this is not looking
16
    for a supplemental groundwater right. Because that is
17
     something less -- less substantial, less of a priority, less
    enforceable than what we need which is a replacement of -- on
18
19
    Sadler Spring.
20
                 THE COURT: Well, and one of the things that I
21
    see as a little different in Venturacci applications than the
22
     Sadler, and you can correct me if I'm wrong, Venturacci has
23
    springwater rights that were supplemental to a surface water
24
    source. So that's a little different and that's why I
    don't -- I'm not envisioning one hearing where we're all here.
CAPITOL REPORTERS (775) 882-5322
```

I'm envisioning we do Sadler and then we go to Venturacci and then maybe back to back during the same stretch of time period because all the parties are really the same. But Venturacci is not part of your hearing, it's your hearing and your Protestant. So I think I want the record separated there because some of these issues aren't quite the same. So I think Mr. Taggart just made clear on the Sadler applications he doesn't believe they are supplemental in the term of art that we're used to using, Ms. Peterson, a groundwater right supplemental to a surface water or supplemental to each other. My understanding it's a -- really what they're 11 12 applying for is a standalone water right replacement. 13 THE STATE ENGINEER: I call it -- I call it a mitigation right. If that's not the right terminology that's 14 fine, we can come up with the terminology we like. But yeah, it's not a supplemental right, it's a mitigation right. And 16 I'm trying -- go ahead, Mr. Kolvet. 17 MR. KOLVET: I was just going to say that I echo 18 19 what has just been said about that. Our intent was to apply for groundwater rights to replace the vested claims that have been lost in the context of mitigating those losses. And so 21 from our standpoint those rights are basically the same as 23 what's being sought on the Sadler side. 24 So again, when some of these applications went

So again, when some of these applications went
out the order had not been yet issued and so we were limited
CAPITOL REPORTERS (775) 882-5322

25

1

MR. KOLVET: Well, and that's fine because we

at this point, we're going forward on --

```
as to what we could apply for. Now, I think it's clear what
    we're seeking is what is being allowed under that order.
                 THE STATE ENGINEER: Back to your original
    question, Ms. Peterson, so wouldn't your client be looking --
    understanding what was just discussed, wouldn't your client
    then be looking at the most recent I guess amended claim in
    terms of what they're asking for and how you're going to
    prepare your case? You're asking which one you should be
    looking at; is that correct?
                 MS. PETERSON: For Venturacci; right. That's --
10
11
                 THE STATE ENGINEER: Right.
12
                 MS. PETERSON: I mean, it's -- I don't know, they
    keep on amending it. So I don't know if they're going to file
13
    another amended claim. I think that's the concern.
14
                 THE COURT: I think that's real fair, Ms.
15
    Peterson, if we're going to hearing on the second amended
16
    proof of appropriation V01115, which is Exhibit 25, there has
17
18
    to be a cutoff point on amending these from going forward.
19
                  MR. KOLVET: I believe that the last amendment is
20
    what you have to have a target for. It's my intent to put on
21
    additional proof related to that amended claim as to
22
    justifying the amount of water being sought at any point. At
23
    this point I have no intent of amending it further as to the
    amount of water.
25
                 THE COURT: Yeah, and I don't think I'd allow it CAPITOL REPORTERS (775) 882-5322
```

18

```
don't intend to do anything different. But the proof that
    will be presented is subject to being fleshed out as we go
                  THE COURT: Correct. But that's a fair question,
    you can't have an amendment in the middle of a hearing.
                  MR. KOLVET: We won't do that.
                  THE COURT: Thank you.
                 MR. KOLVET: And you won't let me do that.
10
11
                 THE COURT: That's correct.
                 MS. URE: So in a sense then we're going to
13
    adjudicate that vested claim within the hearing because my
14
    concern is that so you won't let them amend it during the
    hearing but sometime in the future if the basin gets called
15
    for adjudication on the stream water then at that time are
16
17
    they going to amend it?
18
                  THE COURT: They might be able to. We're going
19
    to look at the quality, the evidence that supports that claim.
20
    It is not a formal adjudication so if an adjudication were
21
    started I would think --
22
                 THE STATE ENGINEER: Right.
23
                 THE COURT: -- they could amend the claim.
                  THE STATE ENGINEER: And if, if these
    applications move forward and they happen to get permitted CAPITOL REPORTERS (775) 882-5322
25
```

```
there will be a permit term that we will say that they're
    subject to future adjudications. And everything that process
    brings to it.
                  MS. PETERSON: So, is there an intent, just so
    I'm clear, I don't know if there's other users on any of these
    streams or springs. Is everybody going to be called in or is
    it just these applications?
                  THE COURT: Just these applications. We're not
    starting basin wide adjudication calling for proofs.
                 THE STATE ENGINEER: I don't know if this helps
10
    or not, but our office has issued change permits before on
11
12
    vested claims on adjudicated rights, depending on the strength
13
    of those vested claims. So, this is another -- I don't know
14
    how many times you've done it, not a whole lot, but we have
    done it and this is another one of those before us that have
16
    been protested.
17
                  MS. PETERSON: And it was a change application?
                 THE STATE ENGINEER: Oh, yes.
18
19
                 MS. PETERSON: Okay. And just another question.
20
                 THE STATE ENGINEER: Sure.
                 MS. PETERSON: Is it -- was it a change
21
22
    application for a groundwater source to be used to replace the
23
    surface water source or was it a change -- a change
24
    application to change a point of diversion on a surface water
    source to a different, you know, point of diversion on the CAPITOL REPORTERS (775) 882-5322
```

```
THE STATE ENGINEER: That's a good question,
    Ms. Peterson, I -- the ones that I remember were changes of
    like points of diversion.
                  MS. PETERSON: On the same surface water source?
                 THE STATE ENGINEER: Correct.
                  MS. PETERSON: Right. Yeah, I just was wondering
    what the procedure was going to be because these are so
    unusual, these applications.
10
                 THE COURT: We agree, that's why we're all here
    trying to talk about it and figure out how we're moving
11
12
    forward. There have been -- I -- I don't think we can answer
13
    in a vacuum what few changes on vested sources there have
14
    been, but they must have had a pretty high standard of
    evidence to convince that they were valid claims and the
16
    quantities requested and they weren't adjudicated.
17
                  MS. PETERSON: I would like an opportunity to
    raise some legal issues regarding, you know, whether you can
18
19
    grant a replacement on a claim that hasn't been adjudicated.
20
                 THE COURT: Um-hum.
                 MS. PETERSON: Those kind of issues.
21
22
                  THE COURT: Okay.
23
                 MS. PETERSON: And so I would like that
24
    opportunity, because I don't know if for some reason the legal
    issues would maybe take away the need for an evidentiary CAPITOL REPORTERS (775) 882-5322
```

hearing. So, I just throw that out there as it seems procedurally that would be the way to go is to try to get those legal issues out of the way. THE COURT: I wouldn't disagree with you. So, I don't know if we want to try and work backwards then from if we go to hearing, here's a hearing date and I have some proposed hearing dates in October, November and then work backwards to legal briefing before then. Because I anticipated you were going to want to do some legal briefing on some of these issues. 10 11 MS. PETERSON: Okav. 12 THE COURT: And we completely understand this is 13 novel, but we're trying to deal with an unusual situation too. MS. PETERSON: Right. So of course being from 14 15 Eureka we would request that any hearing not be held during 16 the irrigation season. THE COURT: That's why I have October, November. 17 18 MS. PETERSON: Thank you. 19 THE COURT: And it's going to be here, so. 20 MS. PETERSON: Oh, it's not going to be in 21 Eureka? 22 THE COURT: No, it's here. 23 MS. PETERSON: I did want to ask for that as well. THE COURT: You already did. It's in your CAPITOL REPORTERS (775) 882-5322 25

22

protest. No, it will be here. MS. PETERSON: Okay. THE COURT: So let me give you some dates that I have proposed. October 14th through -- October 7th through 9, 14 to 16, 21st to 23rd and then if we need a whole week I have to go all the way to November 18th through 22nd, my hearing room has kind of gotten booked. And that's right before Thanksgiving. I seem to do things with you right before Thanksgiving. He's shaking his head, my wife is going to kill 10 11 MR. TAGGART: This was going to be the year we weren't going. MR. KOLVET: The October dates don't work on my 13 calender. I've got trial the first week of October, that is a 14 carryover from a trial starting in September. So if it goes 15 it's going to be a five-week trial. I've got a wedding for my 17 son on October 19th down at Santa Barbara so I will not be 18 available that week. The November 18th date looks great for me on my 19 20 calendar. 21 THE COURT: How many days do you think we need to 22 set this for hearing? 23 MR. KOLVET: Well, I was going to comment on what you said earlier as being two separate. We'd kind of like to be part of that, especially if there's no hydrology, we get to CAPITOL REPORTERS (775) 882-5322

```
back it with respect to the proofs on the vested claims.
                  THE COURT: You lost me there.
                  MR. KOLVET: Well, there doesn't appear to be an
    issue in this case that there's an impact on our water rights,
    the vested claims system in pumping in the valley; right? If
    there's going to be an issue about that then that takes into
    account some hydrology testimony and things like that. If
     that's not going to be a serious objection in this case we
    could probably shorten it up to the vested portion and we
10
     could just basically go one right after the other, Sadler
    first, Thompson second.
11
12
                  THE COURT: Actually, Eureka County's protest
13
    said they do not challenge the existence of the vested right
14
    claims. And Eureka County, are you going to be challenging
    that the groundwater pumping affected these vested right
16
    claims? I don't know if you heard what Mr. Kolvet was saving,
17
    Ms. Peterson.
                 MS. PETERSON: You know what, I didn't hear what
18
19
    he said.
20
                 MR. KOLVET: I'm sorry.
                 THE COURT: Yeah, go ahead and repeat it.
21
22
                  MR. KOLVET: Yeah, my point was we were talking
23
    about the time how long this hearing would take, one of the
24
    issues is what's going to be involved in the hearing. And
    I -- in looking and quickly, I didn't study all of the
CAPITOL REPORTERS (775) 882-5322
```

contention that the pumping hasn't had an effect on the vested claims. If that's going to be the case we could concentrate on the nature of the vested claim and the amount as to a hearing and that would dictate how long it would be. If we have to bring in the hydrology experts and do all of that testimony that lengthens that out. And I was just curious as to whether that was going to be the case or 10 THE COURT: I'm not sure that was even raised as 11 a protest issue. 12 MR. KOLVET: I don't think it really was. 13 THE COURT: That anyone was disputing that, so. 14 MR. KOLVET: So if that's the case we're dealing primarily with the amount of vested claim that each of the 16 Applicants has and I was suggesting that we have those back to 17 back. I mean --THE COURT: That's what I was planning. 18 19 MR. KOLVET: Yeah, one right after the other, so. 20 THE COURT: Or just you're not part of Sadler's 21 case. 22 MR. KOLVET: No, but we'd be very interested in 23 Sadler's case obviously. 24 MS. PETERSON: I -- you know, today is the first I've heard about them putting on all their evidence about CAPITOL REPORTERS (775) 882-5322 25

protests, but it doesn't appear that there's a whole lot of

```
their claims of vested rights. And I think there are --
    there's a lot of history here. I think there's a long time
    period when these water rights weren't pumped or used at all.
    And so there's probably going to be a lot of information
    related to that. And there might be some issues as to what
    groundwater pumping you're saying impacted your rights.
    Because I don't know that these rights have been used very
    frequently.
                 THE COURT: Which rights, Ms. Peterson?
10
                 MS. PETERSON: These claims of vested rights.
11
                 THE STATE ENGINEER: Both?
12
                 MS. PETERSON: Yes.
                 THE COURT: Well, the only abandonment claim is
13
    an abandonment claim to the Sadler Ranches, ones in the
14
    protest. I don't believe there's any claim of abandonment to
15
    the Venturacci vested rights in any protest.
16
                 MS. PETERSON: I think our protest is pretty
17
18
    broad. But we didn't even know exactly what -- because of
    these applications the way they were filed, we didn't even
19
20
    know for sure exactly what the points of diversion were or
21
    what the amounts of diversion were, what the quantity of water
22
    was. They're pretty broad. We can -- we can show that to you
23
    if you need to know that.
24
                 THE COURT: Well, application 81719 has a
    diversion rate and a total duty, so --
CAPITOL REPORTERS (775) 882-5322
25
```

```
notwithstanding what -- what State Engineer just said today
about what we're going to call these. I mean, they were filed
as a new appropriation supplemental divested 32893290. So of
course when we were drafting our protest we had to assume that
that's what they meant, the water was supplemental to the
             And we raised a lot of issues about the quantity
of water that really should be subject to the vested claims.
And I think there is some language in there about if it had
heen used.
            THE COURT: Yeah, Venturacci just filed for a
diversion rate and acreage. And -- and the remark says it
would be applied to the land in a supplemental manner. So I
can -- I can see with that one, let me look at your protest
here real guickly.
             MS. PETERSON: I mean, if you're taking into
account all the records that are in State Engineer's office,
there's -- there's plenty of information there about the use
and nonuse.
             THE COURT: I'm just trying to see if you raised
the forfeiture claim on abandonment -- it wouldn't be
forfeiture, an abandonment claim. And I don't really see it
in your protest. You do talk about the quantity being applied
```

CAPITOL REPORTERS (775) 882-5322

10

11

13

14

15

16

17

18

19

20

21

22

23

25

for --

MS. PETERSON: That's one of the supplemental --

```
MS. PETERSON: Right.
                  THE COURT: -- those sorts of things. So I don't
                  MS. PETERSON: The new applications I'm pretty
    sure it says the State Engineer doesn't have authority to
    grant these applications.
                  THE COURT: And I have not looked at those
    protests, so --
                 MS. PETERSON: Those are the replacement water
     applications.
11
                 THE COURT: At --
12
                 MS. PETERSON: 70 -- 82570 through 82573.
13
                  MS. URE: We also raised a lot of issues about
14
    just the groundwater table in general and the lowering on the
    new applications thinking they were supplemental. So I think
16
    based on that there may be some hydrology questions.
17
                  THE COURT: I don't think anybody's disputing the
    groundwater levels dropping this year, I don't know that we
18
19
    really need a lot of testimony or evidence on that. Why would
20
                 MS. PETERSON: Well, don't you think they need to
21
22
    show that their water rights have been impacted so that this
    is truly replacement water? I think part of their application
23
24
    in the order, if we're going to go by Diamond Valley order
    1226, it says that the applications have to satisfy their CAPITOL REPORTERS (775) 882-5322
```

criteria found in NRS Chapter 533 and 534. THE COURT: Good point. MS. PETERSON: And then you're only going to grant applications to mitigate senior surface water rights that have been impacted by groundwater pumping under junior water rights. It would seem to me if they're relying on number 4 exceptions under the order they would have to prove MR. TAGGART: Well, if it's contested we'll have to prove it. 11 MS. PETERSON: At this point it's contested. 12 MR. KOLVET: Well, then in that case --13 THE COURT: Guys, don't talk over each other 14 please, we've got a court reporter. MR. KOLVET: I'm sorry. Then in that case I 16 would ask that they go first to show how it is not impacted, 17 that's their basis of their -- their protest. We're contending it is impacting and we're asking for those water 18 19 rights so as to hydrology I'd ask that they go first. 20 THE COURT: I don't think so. So I'm back to we're going to go back to November and we're going to take the 21 22 full week. So our hearing dates are November 18th through 23 22nd. You're smiling at me, you haven't opened your mouth 24 MR. TAGGART: That's fine with me. CAPITOL REPORTERS (775) 882-5322 25

29

that.

10

11

13

14

15

16

17

18

19

20

21

22

23

THE COURT: Okay. I try to work with you all, you haven't said anything. I know you try a vacation with your family then, Mr. Taggart, isn't it usually after Thanksgiving? MR. TAGGART: Well, it's that week but --THE COURT: I've worked with you before, I'm willing to work with you. THE STATE ENGINEER: When is Thanksgiving? THE COURT: The week after that. 10 MS. PETERSON: I mean, is there any -- I don't 11 know how long the vacation is, but, I mean, is there time in 12 December? THE COURT: I -- I didn't go out that far because 13 we were planning on doing it this fall, but, you know, I'm 14 15 going to work with you guys. 16 MS. PETERSON: I mean, if it's better for 17 everybody. 18 THE COURT: But I've been having problems with my 19 hearing room getting booked by other people and finding a 20 whole week. Would you please go grab the hearing room 21 calendar, Malcolm? Thank you, Malcolm. 22 MR. KOLVET: Are there any other dates in 23 November? THE COURT: Not if I'm going to go a full week, unless I try to kick somebody out of here the week before CAPITOL REPORTERS (775) 882-5322 25

3.0

MR. TAGGART: We can do the 18th through the 22nd of November. THE COURT: I have the same problems in December. I've let people book this room in the middle of the week and that's not happening anymore. That first week in December is wide open, does that work better for you, Mr. Taggart, the 2nd to the 6th? MR. TAGGART: Not really, I mean, I think the 18th through the 22nd is fine. If I'm the only reason I'm the problem and we don't have a problem with that. THE COURT: Okay. MS. URE: Either is fine with me. MR. KOLVET: We prefer the November date. THE COURT: Oh, you already told me you're busy. I'm not going to do October. MR. KOLVET: No, no, no. I said I prefer the November date as opposed to the December date. THE COURT: Oh, okay. Okay. November 18th through 22nd. If we go to hearing that's when we're going to hearing. Depending on prehearing motions. So now let's work our -- okay. Mac, I got to make sure I have a calendar. So now let's work our way backwards. I'd like to work from evidentiary -- did I say 18th through the 22nd? CAPITOL REPORTERS (775) 882-5322

```
MR. TAGGART: Could I ask for a clarification if
    you're going to talk about evidence submittals?
                  THE COURT: Sure.
                  MR. TAGGART: I just want -- want to make sure
    I'm clear on the discussion that happened earlier, is we're
    going to submit evidence that goes to the vested claim. We've
    submitted a vested claim, it's in your records, but the point
    of the hearing is to establish that information. I don't
    think we can change the quantity that we're asking for, but
10
    we're going to have information that's going to support that
    vested claim that's been filed.
11
12
                  I want to make sure we're all comfortable with
13
    that and we don't get a motion in limine or something when we
    file what we intend to file. So that's why I'm asking for
14
    clarity on that right now.
16
                THE COURT: Well, I think we need clarity on
17
    several issues. Ms. Peterson raised the point that under the
    order if it's a replacement water she wants to see evidence
18
19
    that proves that it's truly replacement water that the pumping
20
21
                 MR. TAGGART: Um-hum.
22
                  MR. KOLVET: And we're prepared to do that. That
23
    portion of the hearing would be primarily the same kind of
24
    evidence for both applications and I was going to suggest that
    that portion of the hearing at least be combined.

CAPITOL REPORTERS (775) 882-5322
```

```
THE COURT: I agree.
                 MR. KOLVET: For that purpose. And then as to
    the vested portions that would be separated out.
                 THE COURT: That would be fine. So -- well,
    let's -- let's finish with how the hearing goes first then.
    First two days evidence, joint evidence on how the vested
    rights were impacted?
                 MR. KOLVET: That's fine.
                 THE COURT: I'll take suggestions, is that enough
    time, is that --
                 MR. KOLVET: That would be plenty, I think.
11
12
                 MR. TAGGART: And then one day each for vested I
13
    would think.
14
                 THE COURT: That only leaves one day for a
                 MS. PETERSON: For all of us.
16
17
                 THE COURT: For all the Protestants, I don't
    think that's enough. I don't know that you're going to each
18
19
    need a whole day on your vested --
                 MR. TAGGART: I'm sorry, I anticipated they would
    do most of their case in cross-examination.
21
                 MR. KOLVET: I did as well.
22
23
                 MR. TAGGART: But you're right that they are
24
    entitled to the time as well.
                 MR. KOLVET: We could do a day and a half on CAPITOL REPORTERS (775) 882-5322
```

hydrology. Of course they've got their own evidence. THE COURT: Well, let's say days one and two is hydrology because they have to have cross-examination. MR. TAGGART: And then they'd put on their case in chief on hydrology --MR. KOLVET: On those days. THE COURT: I'm just sitting here going you guys have turned -- weeks go by. MR. TAGGART: I mean, this is only one week so I 10 don't see you forgetting what you hear on Monday and 11 Tuesday --12 THE COURT: No, no, no, I'm seeing are we 13 expanding into more than one week. MR. KOLVET: I hope not. 14 THE COURT: That's what that case was. Me too. 15 16 Paul and I did a six-week trial together and I'm not doing another one of those. So do you anticipate, Ms. Peterson? 17 MS. PETERSON: Do I anticipate? 18 19 THE COURT: Well, you were talking so I didn't 20 know. I didn't know if you anticipated putting on a case in 21 chief or just cross-examination as to the evidence of the 22 pumping impact of the groundwater, the surface water rights, 23 the vested claims. 24 MS. PETERSON: The hydrology section? THE COURT: Right.
CAPITOL REPORTERS (775) 882-5322 25

2.4

```
THE COURT: Did you anticipate your own hydrology
    evidence?
                  MS. PETERSON: You know what, we might have some
    hydrology, a direct case.
                 THE COURT: So I think I'd like to keep those
    together different than we have done before and follow up with
    your hydrology.
                  MS. PETERSON: In the middle of their case?
    That's the part I'm not quite sure what you want to do.
10
11
                 THE COURT: Well, I'm just trying to figure it
12
    out.
13
                 MS. PETERSON: Yeah.
                  THE COURT: That's why I'm talking to you about
14
    it. I mean, I don't know that I want to go through all
15
    their -- here's my impact, here's my vested right and then I
16
    come back to your hydrology, no, it didn't impact, I've been
17
18
    asked before to try and group some of these issues in cases.
    We haven't really done it before, but I think that's what I'm
19
20
    asking about, is that a way to proceed? Mr. Taggart?
21
                 MR. TAGGART: One of the advantages is that my
22
    expert will be here to testify and then -- in our case in
23
    chief. And then we'll undergo cross-examination. And then if
    they put their case in chief on hydrology right away then he
    can be here for that and he can help me prepare for CAPITOL REPORTERS (775) 882-5322
25
```

35

MS. PETERSON: Yeah. I don't know.

```
cross-examination. Otherwise, he's going to have to come back
    at the end of the week. And I think all parties benefit if
    you do it that way because then you don't have to have that
    expert hydrologist here all week, he's only here the first two
    days and that's a cost savings for my client. So -- so that's
    why it makes sense at least in my view.
                  MR. KOLVET: I would concur in that I think
    having both parties put on their hydrology case since that's
    going to be an issue in this case makes sense. And it's the
     same type of evidence being related to the same basin, so.
                 THE COURT: Shall I set aside two days for
11
12
    hydrology, one's yours and one's yours?
                  MS. PETERSON: Oh, I think probably one and a
13
14
    half vours.
15
                  MR. TAGGART: One and a half, yeah.
16
                  MS. PETERSON: And a half -- half mine.
17
                  THE COURT: Okay. We agree upon that?
                  MR. KOLVET: Yes.
18
19
                 MS. PETERSON: Yep.
                 THE COURT: One and a half Applicants, half
20
21
    Protestants.
22
                  MS. PETERSON: And that's just Eureka, I don't
23
    know if somebody else has something else, I don't want to
24
    speak for anybody else.
                 THE COURT: Therese would be chiming in. Go CAPITOL REPORTERS (775) 882-5322
```

```
MS. URE: I have not spoken with my clients about
    that yet and so I would need to, but I would anticipate being
    able to work with Eureka County to consolidate some time.
                 THE COURT: Okay. So we've agreed upon Monday
    and Tuesday is hydrology impact to existing rights, a day and
    a half for the Applicants. You're sharing the time,
    gentlemen; do you agree to that?
                 MR. TAGGART: Yes.
                 MR. KOLVET: Yes.
                 THE COURT: Thank you. And half a day for you,
11
12
    Ms. Peterson, and Protestants on the 19th.
                 So, then the 20th would be Sadler Ranches
13
14
    supporting their claim of vested right. The 21st, Mr. Kolvet,
    would be Venturacci. And then Friday the 22nd, Ms. Peterson,
16
    for any case in rebuttal to that; does that work for you?
17
                 MS. PETERSON: Or as part of our protest, yeah.
                 THE COURT: And I'm running out of time.
18
19
    Mr. Gallagher, Mr. Moyle, do you plan on putting on cases in
    this or are you just observing, are you testifying on behalf
    of vourselves, what are you planning?
21
                  MR. MOYLE: Mark Moyle from Mark Moyle Farms and
23
    I just plan on testifying for myself.
24
                 THE COURT: I'm just going to see if I have
    Monday and Tuesday of next week. Deep sighs. I can roll to CAPITOL REPORTERS (775) 882-5322
```

```
Monday and Tuesday of the next week.
                 MR. TAGGART: I -- I can't make that, I have
    plane tickets.
                 THE COURT: I have to give these guys sufficient
                 MR. TAGGART: We're talking about the
    Thanksgiving week now, right, Monday and Tuesday?
                 THE COURT: Yes, Thanksgiving is Thursday. I'm
    wondering if I cut back hydrology time.
10
                 MR. KOLVET: Can I just consult briefly on what
11
    we look like on the time for hydrology?
12
                 THE COURT: Let's be off the record.
13
                 (Short recess.)
14
                 THE COURT: Okav. Let's everybody take their
    seats, please. Did you sign in, sir?
15
16
                 MR. SHODA: Yes, I did.
                 THE COURT: Thank you. Don't recognize your
17
18
    face.
                 THE STATE ENGINEER: I do.
19
20
                 MR. SHODA: Easily I'm recognizable.
21
                 THE COURT: I know, the way he said it you must
22
    be trouble.
23
                 THE STATE ENGINEER: No, not at all.
24
                 THE COURT: What's your name?
                 MR. SHODA: Levi Shoda.
25
                   CAPITOL REPORTERS (775) 882-5322
```

3.8

```
coming.
                 MR. TAGGART: We actually --
                 MR. KOLVET: Worked something out.
                 THE COURT: Good. Because we're going to do this
    week.
                 MR. KOLVET: So are we.
                 MR. TAGGART: So are we. Look at that, that's a
                 THE COURT: We're trying to get these hearings
10
11
    back to more reasonable, their hearing people think it's too
    expensive.
13
                 MR. KOLVET: I hear that as well.
                 THE COURT: Yeah.
14
                 MR. KOLVET: I think after discussion -- are we
15
    bak on the record?
16
                THE COURT: Let's go back on the record, please.
17
                 MR. KOLVET: After discussing it Paul and I have
18
19
    agreed that we can split up three days amongst us and cover
20
    both of our cases in that three days. And we talked with
21
    Karen and she agrees that she can do her stuff in two days and
    we'll not worry about who does what when, we'll just work it
23
    out, all the Protestants in two days.
24
                 THE COURT: Now, you left out a lot of
25
    Protestants --
                   CAPITOL REPORTERS (775) 882-5322
```

30

THE COURT: Nice to meet you. Welcome. They're

```
MR. KOLVET: No, I have not.
                  THE COURT: So was Mr. Moyle part of this
                  MR. KOLVET: He was not. I've talked to Karen,
    but that's our discussion and I'm proposing it as a solution
    to the time crunch.
                  THE COURT: Let's be off the record.
                  (Short off the record.)
                  THE COURT: Let's be on the record. It's my
    understanding that the parties graciously have come to an
    agreement that the Applicant puts on whatever case they have
11
12
    on the 18th, 19th and 20th of November. And all Protestants
13
    including those you represent, Ms. Ure, Mr. Moyle,
14
    Mr. Gallagher and Ms. Peterson will have the 21st and the
    22nd; do I understand that agreement correctly?
                 MS. PETERSON: Yes.
16
17
                  MS. URE: Correct.
                 MR. KOLVET: Yes.
18
19
                 THE COURT: So, we're just separating, Applicants
    do their case, Protestants do their case.
20
                 MS. PETERSON: Yes.
21
                  THE COURT: Okay. So, now, let's work backwards
22
23
    from there. I'm going to finish with legal arguments, legal
24
    briefs, Ms. Peterson, so I want to work back on evidentiary
    exchanges now. For those of you who haven't really joined us CAPITOL REPORTERS (775) 882-5322
```

4.0

for a hearing before, Mr. Gallagher, Mr. Moyle, I like to do evidentiary exchanges in advance so people know what witnesses they're going to be, what documents they're going to be, so people aren't walking in here and being surprised by some So, how much time before the hearing do you want the second evidentiary exchange, two weeks, a month? MS. PETERSON: Two weeks. MR. KOLVET: I'm sorry, you said the second THE COURT: Right. How much time do you need 11 12 before the hearing to get the second evidence, second set of 13 MR. TAGGART: Actually, I was just thinking we 14 needed one evidence exchange. THE COURT: Really? 16 17 MR. KOLVET: Yeah, one joint exchange, mutual 18 exchange. 19 MR. TAGGART: That way it's not that complicated. THE COURT: Okay. I mean, Ms. Peterson, are you aware, Ms. Ure, Mr. Moyle, Mr. Gallagher that the Venturacci 21 consultant has been filing reports here substantiating their 23 vested right claim? 24 MS. PETERSON: I know of one filing that was made for those applications 82570 through 82573 that was in the CAPITOL REPORTERS (775) 882-5322

THE COURT: Okay. So, first of all, Mr. Kolvet, you're going to make sure within two weeks from today's date that Ms. Peterson and all the Protestants have the copies of Mr. Teal's reports that support their --MR. KOLVET: This one, is that what you're referring to, the one that was filed March -- around March 16th? THE COURT: There were two in the file. So, 10 Malcolm, can you give me a date two weeks from today, please? 11 There was one filed March 16th, 2013, and I thought there was one before that. Am I mistaken? Is there just one? MR. WALMSLEY: There's two. 13 MR. KOLVET: That's the only one I'm aware of, 14 15 but there may have been --16 THE COURT: Yeah, there was one April 12th that 17 supplemented it. 18 MR. KOLVET: Okav. 19 THE COURT: And so all Protestants are to have

copies of those reports within -- what's two weeks from today,

MR. KOLVET: But I don't want anybody to be

by June 17th. Because that establishes a lot of the basis I

believe of the testimony the Protestants are going to hear

misunderstanding that there will be supplements to that as CAPITOL REPORTERS (775) 882-5322

42

file.

20

21

22

23

25

10

11

13

15

16

17

18

20

21

22

23

24

25

of those points. THE COURT: Sure. I'm just trying --MR. KOLVET: That doesn't limit us to what we've already filed --THE COURT: No. MR. KOLVET: -- those two files. THE COURT: No. MR. KOLVET: Okay. THE COURT: Just getting documents in their hands you've already filed. MR. KOLVET: Fine. THE COURT: Mr. Taggart, I don't believe your client has filed any such documents vet supporting their vested right claims? MR. TAGGART: We have not. THE COURT: Okay. So that will be in your evidentiary exchange? MR. TAGGART: Yes. THE COURT: Protestants, do you have an issue with one evidentiary exchange or do you want to do two? MS. PETERSON: I think we should do two. MS. URE: Two would be my preference. THE COURT: Okay. I'm inclined also. So back to how many weeks before the hearing do you need the final CAPITOL REPORTERS (775) 882-5322

part of this hearing, we will have additional evidence on some

```
evidentiary exchange, two weeks, four weeks?
                 MR. TAGGART: I was going to say three.
                 MR. KOLVET: I was going to say three and half.
    No, three is fine.
                 THE COURT: Are you fine with three,
    Ms. Peterson? Ms. Ure?
                 MS. PETERSON: I was going to say two. I just
    don't know how the rest of your days are going to work back,
10
                 THE COURT: Well, if they don't work we'll --
    we'll jiggle them. So let's say if we went one, two, three
11
    that puts us October 28th. So if we go a month before that --
12
    oh, we have plenty of time here, folks.
13
14
                 MR. TAGGART: Are we talking about the second
    exchange being a rebuttal exchange where both sides put into
16
    evidence in the first exchange and then both sides can have
17
    the opportunities to make rebuttal evidence in the second?
                 THE COURT: Yes.
18
19
                 MR. TAGGART: So we'll see their evidence in the
20
    first exchange and the only thing we can put into the second
    exchange are things that respond to what they've presented?
21
                 THE COURT: Yes.
22
23
                 MR. KOLVET: And same for them?
24
                 THE COURT: Yes, normal -- normal course of
   proceedings how we do it here.

CAPITOL REPORTERS (775) 882-5322
```

```
MR. KOLVET: Okav.
                 THE COURT: So since we do have a fair amount of
    time here, I want to make sure everybody's fine. Okay.
    October 28th -- no, Friday, October 25th?
                 MS. PETERSON: That might be a holiday. Maybe
    vou should check Nevada Dav.
                  MR. KOLVET: Yeah, Nevada Day comes in there
    someday, sometime.
                 THE COURT: Thursday, October 24th is your second
    exchange. So then let's go -- how much time do you want in
    between them since we have fair amount --
11
12
                 MR. KOLVET: We have plenty of time, how about
13
14
                 THE COURT: Oh, at least, I was going to give you
    a little more if you wanted it.
                 MR. KOLVET: Then six.
16
17
                 THE COURT: One, two, three, Friday,
    September 12th for your first exchange. Protestants all right
18
19
    with that?
                 MS. URE: September 13th?
                THE COURT: 13th, sorry, my finger is on the
21
22
23
                 MR. TAGGART: Friday the 13th?
24
                 THE COURT: Lucky day. Works for me. Always a
    lucky day for me, you guys are just -- do beautifully. So, CAPITOL REPORTERS (775) 882-5322
```

45

talk about priority date. Do you have other issues that you

have on the list that you want to brief?

```
now -- that's a good question, Mr. Moyle and Mr. Gallagher,
    you're not used to being in a trial like setting like this.
                 MR. MOYLE: There's a reason for that.
                 THE COURT: Well, I'm wondering if I need you to
    present what your statements were going to be so that the
    Applicant has an opportunity to respond to those.
                 MR. MOYLE: You want us to adhere to the same
    dates?
                 THE COURT: Oh, yeah, you are subject to the
10
    same --
11
                 MR. MOYLE: Right, right.
12
                 THE COURT: You're allowed to put on a whole case
    in chief just like these --
13
14
                 MR. MOYLE: Right.
                 THE COURT: -- these lawyers. Your rights don't
15
16
    go away just because you're not represented by legal counsel.
                 MR. MOYLE: I'm good with it.
17
                 THE COURT: Mr. Gallagher?
18
19
                 MR. GALLAGHER: Same, yeah.
                 THE COURT: Did you get that on the record?
20
21
                 THE REPORTER: (Nodded head.)
                 THE COURT: Thank you. So now to legal briefing.
23
   I quess I really kind of want to get a feel for -- do we need
    to set forth the issues we're going to be briefing, do we wait
    until we have the first brief come in? I know you want to CAPITOL REPORTERS (775) 882-5322
25
```

46

```
MS. PETERSON: I do. So what I would propose is
    if we have legal issues that we want to raise that we go ahead
    and raise those at a certain time. I mean, if the Applicants
    have something they want to raise they can raise it and we
    raise that and then they can give -- they can have a chance to
    respond to that legally.
                 THE COURT: Oh, absolutely.
                 MS. PETERSON: Yeah. So if they raise something
10
11
    that in their briefs, their initial opening briefs that we
    want to respond to we can also.
                 THE COURT: Yeah, no, I wasn't going there,
13
    Ms. Peterson, I didn't know if you had a list of issues now so
14
    everybody can start thinking about them. I don't want to cut
15
16
    you off on that, so I want to give you time to think about it.
                MS. PETERSON: Right.
17
                 THE COURT: So this is June 3rd. How about --
18
19
    I'm in a two-week hearing there. So how about Wednesday,
    July 3rd before the holiday, legal briefs? You all right with
20
21
22
                 MR. TAGGART: I'm -- I'm just confused about
23
    whether I'm even going to file one because I'm not sure --
24
                 THE COURT: You don't have to.
25
                 MR. TAGGART: -- what -- I mean, if I know what CAPITOL REPORTERS (775) 882-5322
```

```
an issue is, I think I do know that an issue is priority. And
    an issue is -- well, abandonments have been discussed, seems
    like that's an issue to me. Whether it can be raised, maybe
    that's an issue.
                 THE COURT: Yours -- yours is really responding I
    think to their questions, but I don't want to cut you off. If
    you come up with some issue. So I'm going to say Wednesday,
    July 3rd, are you with me, Ms. Peterson?
                 MS. PETERSON: Yes.
10
                 THE COURT: Any legal briefs -- or any briefs
    raising legal issues. And I'm going to give you a month to
11
12
    respond.
13
                 MR. KOLVET: Would it be possible to do that
14
    first briefing in the second week of July? It's not so much
    that I would be doing any briefing and the response to that,
16
    it just gives me the time after that to reply, I'm kind of
17
    jammed up in part of that first part of July.
                 THE COURT: Well, we are too, we're in a two-week
18
19
    hearing then. So I'd like to actually have read these briefs
20
    to be able to think about them.
                 MR. KOLVET: Fine. The 3rd is fine.
21
                  THE COURT: Okay.
22
                 MR. KOLVET: I'll go with that.
23
24
                 THE COURT: We have the whole week of the 8th
    through the 19th we're in a hearing, that two-week period, CAPITOL REPORTERS (775) 882-5322
```

```
so --
                 MR. KOLVET: That's fine.
                  THE COURT: -- I'll be juggling. But I'll give
    you plenty of time to respond, Mr. Kolvet.
                 MR. KOLVET: Yeah, I got to rethinking my
    concerns.
                 THE COURT: Okay. So then let's go -- our first
    exchange is the 13th, how about Friday, August 2nd for reply
10
                 MR. KOLVET: That's fine.
                 THE COURT: And since the first evidentiary
11
12
    exchange is on the 13th, I'm not really inclined to do a -- or
    for answering briefs, reply briefs because if there's an order
13
    that cuts this off you need to know that before we ever go to
14
    evidentiary exchanges.
16
                 MS. PETERSON: Agreed.
17
                 THE COURT: Are you comfortable with that?
18
                 MS. PETERSON: Right. Yes.
19
                 THE COURT: Ms. Ure?
                 MS. URE: Yes.
                 THE COURT: Mr. Movle? You have to talk out
21
22
23
                 MR. MOYLE: Yes.
24
                 THE COURT: Mr. Gallagher?
                 MR. GALLAGHER: Yes.
CAPITOL REPORTERS (775) 882-5322
25
                                   49
```

THE COURT: Okay. So, I'm going to run through this again. Wednesday, July 3rd, any briefs raising legal issues. Friday, August 2nd, answering briefs to those legal issues. Friday, September 13th, the first evidentiary exchange. Friday, Oct --MR. KOLVET: Thursday. THE STATE ENGINEER: Yeah, Nevada Dav. THE COURT: Yeah, but I missed the second evidentiary exchange -- oh, the 4th. Friday -- it's my handwriting. 10 11 MS. PETERSON: Friday. 12 THE COURT: Thursday, the 3rd. Oh, that's right. MR. KOLVET: Thursday, October 24th. 13 THE COURT: Thursday, October -- sorry, guys. 14 Thursday, October 24th is the second evidentiary exchange. 15 16 18th, 19th, 20th is the Applicant's case. 21st and 22nd of November are the Protestants' cases. Are we all on the same 17 18 19 Anything else I need -- oh, order -- no, I will 20 put out a hearing notice, I'll assign you exhibit numbers in 21 the hearing notice to -- so we're all on the same page so I 22 can come back with one of my lists all prepared for you. Two 23 copies of any exhibit. 24 Anything else we need to address? Do you have a game plan? Mr. Bushman, you need to go through legal counsel, CAPITOL REPORTERS (775) 882-5322 25

50

```
you're not a party and if you need something --
                 MR. BUSHMAN: Yes.
                 THE COURT: -- talk to whoever you're agent for.
                 MR. TAGGART: Well, there is just a point of
    clarification I think is that earlier we had a discussion
    about these are vested claims and we're going to be
    establishing evidence about those vested claims, but we're not
    completing an adjudication of the rights. But the water
    rights if granted would be granted subject to any future
    adjudication.
10
11
                 I think the concern or one concern is just that
    any -- if this is a quasi adjudication or a pseudo, I mean,
    it's a lot like an adjudication, we're putting on a lot of
13
    evidence that we put during a preliminary or a determination
    type of hearing. And -- and so I think it will be -- I guess
15
    the concern is that what we do here is going to really pave
16
    the way for what those adjudicated rights would look like if
17
18
    they were adjudicated in the future.
19
                 But -- but I think you indicated, Mr. King, that
20
    this would be -- everything would be subject to a future
21
    adjudication which could cut it back or add to it either way,
22
   but -- but whatever we do here is certainly going to influence
23
    any future adjudication because of the amount of evidence in
    this case. And I think that was the point that -- that we
25
    wanted to make clear.
                    CAPITOL REPORTERS (775) 882-5322
```

```
MS. PETERSON: What was the point?
                  THE COURT: I didn't get the point.
                  MS. PETERSON: I didn't get the point.
                  THE COURT: What was the actual point?
                  MR. TAGGART: Just -- just that -- that whatever
    evidence put on here is going to be influential on any future
    adjudication.
                  THE COURT: Maybe, maybe not. Someone could
    raise it as an objection in that adjudication or they could
     ask to adopt the record from the previous hearing. Cross that
    bridge when we come to it.
11
12
                  THE STATE ENGINEER: The other point, as far as
13
    that, the evidence that's going to be presented is akin to
14
    what you would hear in an adjudication process in terms of
    trying to substantiate historical beneficial use.
16
                 THE COURT: Um-hum.
17
                 THE STATE ENGINEER: That's what I -- that's what
    I believe we're going to hear in that week long hearing a
18
19
    decision will be made. But it's not a -- it's not
20
    adjudicating the right in terms of it becoming a decreed
21
    right.
22
                  MR. TAGGART: And -- and no one is foreclosed
23
    from whatever rights they might have in a future adjudication
24
    to put on whether, you know, someone challenging the right or
    supporting the right. If you go to adjudication in the future CAPITOL REPORTERS (775) 882-5322
                                    52
```

THE COURT: I wouldn't answer that question here, I'd wait for that to be argued in that adjudication. Because vou may not be their lawyers and they may not like to work with you. I -- I wouldn't ever want to make an advisory opinion on a future proceeding on how it's going to be constrained, but I could certainly see the arguments being we came in and put on a case, can I adopt it. But I wouldn't rule on that here because I'm not even in that adjudication proceeding and we're not noticed for it. Do we need -- we've been doing a lot of our 11 12 exhibits digitally. Do we have any preference to have them 13 scanned like we've been doing at hearings lately? MR. TAGGART: I -- I would agree to service by 14 electronic means so all documents would be scanned and served by e-mail. At least I -- I would -- I would be willing to 16 17 take service that way. THE COURT: And I know Therese likes her 18 19 electronic stuff. So I'm just going to put it in the order that besides the paper exhibits we're going to do scanned exhibits like we've been doing lately. 21 MR. KOLVET: Yeah, but what I think Mr. Taggart 22 23 was referring to is the exchanges. For example, on the 24 exchange dates that we can exchange via electronic means rather than serving paper exhibits.

CAPITOL REPORTERS (775) 882-5322

53

MS. PETERSON: So we just need your e-mail

that process is going to occur.

THE COURT: If you agree I'll agree to that here, I have no problem with it. Except for what's filed here. MR. TAGGART: The hard copy will be filed with the State Engineer's office --THE COURT: Two hard copies and an electric -electronic, that will all be in your hearing notice. MS. PETERSON: That's fine with me. You can serve me electronically. MR. KOLVET: I don't know whether the gentlemen behind us can accept them that way or not. 10 11 THE COURT: Let me go through each person. 12 Ms. Ure, would you agree to electronic service? MS. URE: Yes. 13 14 THE COURT: Mr. Kolvet, do you agree to 15 electronic service? 16 MR. KOLVET: Yes. THE COURT: Mr. Taggart already has. Mr. Moyle? 17 MR. MOYLE: That would be fine. 18 19 THE COURT: Mr. Gallagher? 20 MR. GALLAGHER: That's fine. 21 THE COURT: Great. Thank you. That saves a lot

MR. MOYLE: Ms. Taylor, and DNRP, CA's part of

that too. And Mr. Burnham. So yeah, we could still -- DNRP,

5.4

CA could get it that way also.

CAPITOL REPORTERS (775) 882-5322

22

23

25

of money.

```
address.
                 MR. MOYLE: Okav.
                 MR. KOLVET: Did that get put on the sign-up
    sheet, if it did --
                 THE COURT: I'm just going there.
                 MR. KOLVET: -- that needs to be supplied.
                 THE COURT: I'm just going there. MarkMovleNHC.
    Nancy, Henry, Charles, .Moyle@gmail.com?
                 MR. MOYLE: That's correct.
10
11
                THE COURT: Jim Gallagher is JG, George, Edward,
12
    Eunice --
13
                 MR. GALLAGHER: EU, Eureka.
                 THE COURT: JGEU45@gmail.com?
14
                 MR. GALLAGHER: Yes.
15
                 THE COURT: And I think we don't have any other
16
    parties -- let me just do them all on the record. Karen, you
17
18
    get to do yours, I can't read your handwriting.
                 MS. PETERSON: KPeterson, P-E-T-E-R-S-O-N,
19
20
    @Allison, A-L-L-I-S-O-N, MacKenzie, M-A-C-K-E-N-Z-I-E, .com.
21
                 THE COURT: Mr. Beutel, do you want to put yours
22
    for the record?
23
                 MR. BEUTEL: T as in Ted, B as in boy, E-U-T-E-L.
    ECDA@EurekaNV, for Nevada, .org.
```

THE COURT: Mr. Taggart, I have all the sign-in CAPITOL REPORTERS (775) 882-5322

5.5

```
MR. TAGGART: I actually wasn't able to sign in,
    it was -- there was a line when -- it's Paul@legalTNT.com.
                 THE COURT: Mr. Kolvet?
                 MR. KOLVET: B as in boy, T as in Tom, K as in
    king, @Thorndal, T-H-O-R-N-D as in David, AL.com.
                 THE COURT: Did I get all the parties on record
    with their e-mails? Therese, I'm sorry.
                 MS. URE: Mine is -- for Therese Ure, it's
    capital C-O-U-N-S-E-L, @Water, W-A-T-E-R-Law, LAW.com.
                 THE COURT: Now did I get everybody? Okay.
11
    Okay. That's great. That saves people a lot of money. I
12
    appreciate you bringing that up.
13
14
                 Any other matters we need to address?
    Mr. Beutel, you got anything?
16
                 MR. BEUTEL: No.
17
                 THE COURT: Do you have anything, nice English,
    Susan. My mother would be appalled. Ms. Peterson, anything
18
19
    else we need to bring up?
20
                 MS. PETERSON: Nothing further.
                 THE COURT: Ms. Ure?
21
22
                 MS. URE: Nothing further.
                 THE COURT: Mr. Moyle?
23
24
                 MR. MOYLE: No.
                 THE COURT: Mr. Gallagher?
CAPITOL REPORTERS (775) 882-5322
25
```

```
MR. GALLAGHER: No.
                 THE COURT: Mr. Kolvet?
                 MR. KOLVET: No.
                 THE COURT: Mr. Taggart?
                 MR. TAGGART: No.
                 THE COURT: Great. Thank you all very much for
    your time.
                 (Proceedings concluded at 2:44 p.m.)
11
12
13
14
16
17
18
19
21
22
23
24
                   CAPITOL REPORTERS (775) 882-5322
                                   57
```

STATE OF NEVADA CARSON CITY I, MICHEL DOTY LOOMIS, a Certified Court Reporter, do hereby certify; That on the 3rd of June, 2013, in Carson City, Nevada, I was present and took stenotype notes of the hearing 10 held before the Nevada Department of Conservation and Natural 11 Resources, Division of Water in the within entitled matter, and thereafter transcribed the same into typewriting as herein 12 13 appears; 14 That the foregoing transcript, consisting of pages 1 through 57 hereof, is a full, true and correct 15 16 transcription of my stenotype notes of said hearing. 17 Dated at Carson City, Nevada, this 17th day of 18 June, 2013. 19 20 21 22 MICHEL DOTY LOOMIS, CCR #228 23 24 25 CAPITOL REPORTERS (775) 882-5322 58

	720 and 81825			June 03, 2
	3:10	51:23	April (1)	19:15;20:9;36:10
@	admission (1)	amounts (1)	42:16	basis (4)
	9:3	26:21	argued (2)	14:9,12;29:17;
@Allison (1)	admitted (1) 9:6	anticipate (5) 13:6;34:17,18;	12:21;53:3 argument (4)	42:21 beautifully (1)
55:20	adopt (2)	35:2:37:3	12:15.24:13:24:	45:25
@Thorndal (1) 56:6	52:10;53:8	anticipated (4)	14:3	become (1)
@Water (1)	advance (1)	10:21;22:9;33:20;	arguments (2)	13:12
56:10	41:2	34:20	40:23;53:7	becoming (1)
30.10	advantages (1)	anymore (1)	around (1)	52:20
A	35:21	31:6	42:7	behalf (3)
	advisory (1) 53:5	app (1) 10:16	arrangements (1)	3:20;4:16;37:20 behind (2)
abandonment (5)	affected (1)	appalled (1)	art (1)	6:3:54:10
26:13,14,15;27:22, 23	24:15	56:18	17:8	beneficial (1)
abandonments (1)	afternoon (2)	appear (3)	artesian (1)	52:15
48:2	3:5,19	15:23;24:3;25:1	13:13	benefit (1)
able (4)	again (2)	appearances (1)	aside (1)	36:2
19:18;37:4;48:20;	17:24;50:2	3:17	36:11	Benson (5)
56:2	agent (1) 51:3	appears (1) 9:13	assign (1) 50:20	4:1;7:1,14;8:3,9 besides (1)
absolutely (1)	agree (10)	applicant (3)	assistant (1)	53:20
47:9 accept (1)	16:7;21:10;33:1;	3:18;40:11;46:6	3:15	better (2)
54:10	36:17;37:8;53:14;	Applicants (7)	Association (3)	30:16;31:7
account (2)	54:1,1,12,14	14:23;15:6;25:16;	4:7;6:24;7:11	Beutel (6)
24:7;27:18	agreed (3)	36:20;37:7;40:19;	assume (2)	5:4,11;55:21,23;
acreage (1)	37:5;39:19;49:16	47:5	13:2;27:5	56:15,16
27:13	agreement (3)	Applicant's (1)	assuming (1)	B-E-U-T-E-L (1)
actual (2)	14:2;40:11,15 agrees (1)	50:16 application (30)	11:22 Attorney (1)	5:11 bit (1)
13:8;52:4	39:21	6:22,24;7:2,3,6,8,9,	5:4	13:24
Actually (5) 24:12:39:3:41:14:	ahead (4)	11.15.17.19.21.22.24.	August (2)	Bob (2)
48:19;56:2	17:17;24:21;37:1;	25;8:4,6,7,9,11;	49:8;50:3	4:8,10
add (1)	47:4	10:12;11:3,13;14:12,	authority (1)	book (1)
51:21	akin (1)	16;20:17,22,24;	28:5	31:5
added (1)	52:13	26:24;28:23	available (1)	booked (2)
11:24	ALcom (1) 56:6	applications (30) 3:7;9:24;10:11,19;	23:18 aware (2)	23:7;30:19 Both (6)
adding (2)	Allison (1)	11:6,21,24;12:2,10,	41:21:42:14	26:11;32:24;36:8
11:1,16 additional (3)	5:3	11;15:18,21;16:2,2,	away (4)	39:20;44:15,16
11:2:18:21:43:1	A-L-L-I-S-O-N (1)	21;17:7,24;19:25;	16:4;21:25;35:24;	boy (2)
address (4)	55:20	20:7,8;21:9;26:19;	46:16	55:23;56:5
10:1;50:24;55:2;	allow (1)	28:4,6,10,15,25;29:4;	n	Brent (1)
56:14	18:25 allowed (2)	32:24;41:25 application's (1)	В	3:23 bridge (1)
adhere (1)	18:2:46:12	16:12	back (20)	52:11
46:7	always (2)	applied (2)	3:24;4:5;17:2,2;	brief (3)
adjudicate (1) 19:13	9:10;45:24	27:14,24	18:3;24:1;25:16,17;	14:4;46:25;47:2
adjudicated (7)	amend (3)	apply (2)	29:20,21;35:17;36:1;	briefing (8)
13:19,21;20:12;	19:14,17,23	17:19;18:1	38:9;39:11,17;40:24;	12:15,24;22:8,9;
21:16,19;51:17,18	amended (8)	applying (1)	43:24;44:8;50:22;	46:22,24;48:14,1:
adjudicating (1)	8:15,17;14:22,22;	17:12	51:21	briefly (1)
52:20	18:6,14,16,21 amending (5)	appreciate (1) 56:13	backwards (4) 22:5,8;31:24;40:22	38:10 briefs (12)
adjudication (19)	14:25;15:1;18:13,	approach (3)	bak (1)	40:24;47:11,11,2
3:16;14:14;19:16, 20,20:20:9:51:8.10.	18.23	12:23:13:22:14:6	39:16	48:10.10.19:49:9
20,20;20:9;51:8,10,	amendment (2)	appropriated (1)	Barbara (1)	13;50:2,3
14,23,25;53:3,9	18:19;19:7	12:9	23:17	bring (2)
adjudications (1)	amongst (1)	appropriation (7)	based (1)	25:6;56:19
20:2	39:19	8:13,15,17,19,21;	28:16	bringing (1)
Administrative (4)	amount (8) 13:6:18:22.24:	18:17;27:4 appropriations (2)	basically (3) 16:11:17:22:24:10	56:13 brings (1)
4:23;6:6,12,13	25:4,15;45:2,11;	15:17,23	basin (3)	20:3
administrator (1)	23.4,13,43.2,11;	13.17,43	Dasiii (3)	20.3

2618.22   15.20.535.9.22.24   chem (4)   17.21   conversation (1)   20.20.46(12.50:16; 51.25.16)   17.21   conversation (1)   21.2556.8.11,44,1   20.20.46(12.50:16; 51.25.16)   17.21   conversation (1)   21.2556.8.11,44,1	State of Nevada - Divisi Applications 81719, 817				Public Hearing June 03, 2013
2618.22   15.20.535.9.22.24   client (4)   17.21   conversation (1)   20.20.46(12.50:16; 51.24.53.8   cases (4)   20.20.46(12.50:16; 51.25.6.8)   5.8.22.25   cases (4)   21.255.6.8.11.4.4   clients (2)   21.55.6.8.11.4.4   clients (2)   21.55.6.8   clients (2)   21.55	broad (2)	29:12,15;33:21;34:4.	16:10	12:25;29:9,11	24;50:1,8,12,14;51:3;
1019   20,20;46;12;50;16;   clients (2)   122;37;2   conversation (1)   40;3   conversation (1)   21;555,68;41,11,17   clients (2)   122;37;2   convince (1)   21;555,644,71,17   clients (2)   21;15   conversation (1)   42;53;83;19;39;20;   convince (1)   42;66;61;2   clients (2)   42;46;66;12   clients (2)   42;46;66;12   clients (2)   42;46;66;12   clients (2)   42;46;66;12   clients (3)   42;46;66;12   clients (2)   42;46;66;12   clients (2)   42;46;66;12   clients (2)   42;46;66;12   clients (3)   42;46;66;12   clients (2)	26:18,22	15,20;35:5,9,22,24;			52:2,4,8,16;53:2,18;
Bugenig (3)         51:24:538         cli-G-E-N-I-G (1)         51:24:538         clownwince (1)         21:15         cownwince (1)         21:15         covervince (1)         22:15         covervince (1)         22:15         covervince (1)         22:15         22:25:57:24.6         covervince (1)         22:15:57         22:12:55:72.4.6         covervince (1)         22:13:55:20         cownwince (1)         22:13:55:20         cownwince (1)         22:13:55:22.4.30         covervince (1)         22:13:55:22.4.30         covervince (1)         22:13:55:22.4.30         coverities (1)         23:23:23:22.5         coppies (5)         25:20         compiled (1)         20:23:24:40:1         compiled (1)         23:21:15         cows (2)         22:13:15         counsel (3)         correctly (1)         33:23:34:32:1         counsel (3)         counsel (3)         counted (1)         25:23:33:23:34:32:1         counsel (3)         counted (2)         22:13:14:42:32         counted (2)         23:23:33:23         counted (2)					54:1,5,11,14,17,19,
58.22.25 bull-1-6-EN-H-G (1) 5.25 burnham (6) Cattle (5) 4.38.10,10,12; 54.24 catain (1) 4.12 bushman (2) 50.255,12 catain (2) 24-14,52,224 calendar (3) 23.20,30,20,13,123 calender (1) 23.14 calendar (3) 23.20,30,20,30,20,30,30,30,30,30,30,30,30,30,30,30,30,30					
B-U-G-E-N-I-G (I)					
5:25   Surnham (6)					
Burnham (6) 43.8.10,10,12; 43.71,114,23,8.3 certain (1) 32.55.20 combined (1) 5.52.0 (comfortable (2) 50.23,54.5					
4.88.0.0.0.1.2; 4-3.7.1.1.4.2.3.8.3 combined (1) 3.2.2.5 comfortable (2) 3.2.1.5 common (1) 4.7.5 common (1) 4.7.5 common (1) 4.7.5 common (1) 5.10 challenging (2) 24.1.3 change (3) 15.10 change (3) 15.10 change (3) 23.2.2.4.3.2.9 common (1) 23.1.4 change (3) 23.2.3.4.3.2.9 change (3) 17.3.1.3.1.2.3.2 change (3) 17.3.3.3.2.3.4.3.2.9 change (3) 17.3.3.3.3.3.4.3.2.1 change (3) 17.3.3.3.3.3.4.3.2.1 change (3) 17.3.3.3.3.3.3.4.3.2.1 change (3) 17.3.3.3.3.3.3.3.3.3.3.3.3.3.3.3.3.3.3.3					
Ba-Ura-N-Ha-M (1)  Bushman (2)  51-22537  50-25512   Chairman (2)  51-25387  50-25512   Chairman (2)  51-25387  51-25   Surfield (1)  51-10  Buthet (1)  51-10  Bu-Ur-Tr-E-L (1)  51-10  C  CA (1)  23-213  change (8)  10-15;20:11,17,21,  23-12-32,24-32-9  change (8)  10-15;20:11,17,21,  23-12-32,24-32-9  change (8)  10-15;20:11,17,21,  23-12-32,24-32-9  change (9)  10-15;20:11,17,21,  23-12-32,24-32-9  change (1)  23-14  Charles (1)  23-13  Chapter (3)  23-20-30:021;31-23  change (2)  17-13,13,13,27-3  called (2)  19-15;20:6  chief (6)  19-15;20:6  chief (6)  23-13  Chapter (3)  23-10-35-38  chief (6)  19-15;20:6  19-15;20:6  chief (6)  23-13  11-13,13,127-3  chief (6)  23-13  23-20-30-21;31-23  chapter (3)  23-10-35-38  chief (6)  23-11-31  23-11-31-31-32  chapter (3)  23-10-35-38  chief (6)  23-11-31-31-32  chapter (3)  23-11-31-32-32  chief (6)  23-11-31-32-32  chief (6)  23-11-31-32-32  chief (6)  23-11-31-32-32  chief (6)  23-12-32-32  chief (6)  23-12-32-32  chief (1)  23-14-32-32  chief (1)  2			combined (1)		
Hisbahman (2)   50:255:512   Chairman (2)   50:255:512   Chairman (2)   50:255:512   Chairman (2)   50:66   challenge (1)   31:15   Chailenge (1)   24:13   Chairman (2)   5:10   Chairman (2)   10:21:392   Commingled (1)   5:10   Chairman (2)   5:10   Chairman (2)   15:19   Commissioners (1)   5:10   Commission					
Bushman (2)   5:10; 25:51:2   Chairman (2)   10:21; 39:2   comment (1)   23:23   comment (1)   23:24   completely (1)   23:14   completely (1)   c					
Solution					
busy (1) 31:15 Butfet (1) 5:10 B-U-T-T-E-L (1) 5:10 C C CA (1) C23:23 commingled (1) 5:10 C CA (1) 23:23-24:32-9 10:15;20:11,17,21, 23:14 calendar (3) 23:20:30:21;31:23 calendar (1) 23:14 Chapter (3) 23:20:30:21;31:23 chapter (3) 23:20:30:21;31:23 chapter (3) 23:314 calendar (1) 23:14 Chapter (3) 23:14 Chapter (3) 23:14 call (3) 17:13,13;27:3 called (2) 19:15;20:6 chief (6) 19:10;20:7 19:10;20					
8i:15 Buttel (1) 5:10 C challenging (2) 4-t1-5 5:10 C change (8) 10:15:20:11,17,21, 23:23,23/43:29 54:25 calendar (3) 23:20:30:21,31:23 calender (1) 23:14 Call (3) 17:13,13,27:3 called (2) 19:15:20-6 calling (1) 23:14 Call (3) 17:13,13,27:3 called (2) 19:15:20-6 calling (1) 23:14 Call (3) 19:15:20-6 calling (1) 23:14 Call (2) 19:15:20-6 calling (1) 21:13:13 20:30:23:24-66:12 20:33:38 can (33) can (2) 11:24:21:11:11.16 concerned (2) 11:24:22:142/15; 11:24:22:142/15; 11:24:22:142/15; 11:24:22:142/15; 11:24:22:142/15; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:22:142/17:5; 11:24:12:142/17:5; 11:24:22:142/17:5; 11:2					
Site   Comminged (1)   Site   Comminged (2)   Site   County (7)					
E. C. change (8) 1015;2011,17,21, 232,43229 2, 54;25 calendar (3) 232,030,21;31:23 change (2) 173,13 calendar (1) 424;66;29:11,13,13,1327:3 child (1) 2015;206 chilef (6) 216;201;11:19;12:17 came (2) chilming (1) 313,345,21; 209 9 25,32,34;613 209 9 25,32,34;6	Buttel (1)		commingled (1)		curious (1)
C		challenging (2)	15:19	C-O-U-N-S-E-L (1)	25:8
CA (1) 23.24-32-9 change (2) 24.12 compts (5) 24.13-73 (compts (6) 23.24-32-9 changes (2) 23.14 calender (1) 42.46-62-91 (2) 17.13.13.27:3 child (1) 20.9 check (2) 21.15.20-6 chief (6) 20.9 (1) 20.52.32.34-61.3 child (1) 31.34-5.21 (2) 25.3 (2) 25.32.32.36.63 (2) 25.32.34-61.3 child (1) 31.33-45.21 (2) 20.9 check (2) chilming (1) 31.33-45.21 (2) 20.9 (2) 25.15.15 (2) 21.12 (2) 22.12 (2) 23.23.36.13.5.69 (2) 25.33.34-61.3 child (1) 31.34-5.21 (2) 20.9 (2) 25.33.34-61.3 chilming (1) 31.34-5.21 (2) 20.9 (2) 25.33.34-61.3 chilming (1) 36.25 (2) 21.15.20.6 (2) 21.15.20.6 (2) 21.15.20.6 (2) 21.15.20.12 (2) 21.15.20.12 (2) 20.15.20.12 (	B-U-T-T-E-L (1)				
C change (8)	5:10				
CA (1)	C				
CA (1)					
54:25 calender (3) 23:20:30:21;31:23 chapter (3) 23:14 calender (1) 42:46:62:29:11 23:14 completing (1) 23:14 completing (1) 23:14 completing (1) 25:14 completing (1) 25:14 completing (1) 25:14 completing (1) 31:33:45:21; 20:9 1:15:20:6 chief (6) 25:9 19:15:20:6 chief (6) 25:3 25:3 20:32:33:61:35:6.69; 25:33:46:13 2	CA (1)	23 23 24:32:0			
calendar (3) 23:143 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:14 (2) 23:15 (2) 2		changes (2)			
calender (1)					
23:14	23:20;30:21;31:23	Chapter (3)	completing (1)	34:1;44:24	D
call (3) 17:13,13,27:3 called (2) 19:15;20:6 calling (1) 20:9 13:13,345,21: 20:9 16:35;38 16:25 16:22;17:15,21:12 16:22;17:15,21:12 16:22;17:15,21:12 18:36:22;27:15 18:36:22;27:15 19:15;22;16:22;71:5 16:22;17:15,21:12 16:38:36:22;27:15 16:39:19;21:42:10 49:6 18:36:22;27:15 19:15;23:12:23;23:26 14:15;23:12:23;23:26 14:15;23:12:23;23:26 10:25;23:12:23:12:12 10:20:13:12:21:15;12:12:12 10:20:13:12:21:15;12:12:12 10:20:13:12:21:15;12:12:12 10:20:13:12:21:15;12:12:12 10:20:13:12:21:15;12:12:12 10:20:13:12:21:15;12:12:12 10:20:13:13:13:13:12:12:13:13:14 11:13:14;14:12:14 11:18 11:1					
called (2) 1915;206 chief (6) calling (1) 29:9 came (2) 163:53:8 can (3) CTTY (1) 68:11:19;14:25: 18:26:22,217:15;21:12, 18:26:22,217:15;21:12, 18:26:22,227:15; 21:19:23-22; 23:37:25;38:10; 39:19:214:10; 41:19:14;21:0; 41:16:20:47:6,77:12; 41:16:22,217:31; 41:19:14;21:0; 41:16:20:47:6,77:12; 41:16:22,217:15;21:12, 42:16:22,217:15;21:12, 18:26:22,22:22,27:15, 21:19:25:41,15;41:23, 21:19:25:24; 41:16:20:47:6,77:12; 41:16:20:21,23; 21:19:25:41,14:16; 21:19:19:25:11; 21:19:12:17 concerne (2) 13:18;14:20:21,23; 25:37:25;38:10; 39:19:21:42:10; 41:16:20:47:6,77:12; 41:16:22,213; 25:38:10; 39:19:21:41:10; 41:19:12:17 concerne (1) 13:16:36:7 concerd (2) 13:18;14:20:21,23; 25:38:10; 39:19:21:41:10; 47:20 49:6 concluded (1) 57:8 concer (2) 13:16:36:7 concerne (4) 37:61:01:91:11; 14:71:19:12:17 consolidate (1) 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:32:26:11,14; 25:33:15 consult (1) 38:10 consult (1) 38:10 consult (1) 28:48:39:02:38:38:10; 38:10 consult (1) 38:10 consult (1) 38:10 consult (1) 29:18 consul					
called (2) 9:10.45:6 25:3 20.32.32;6:1.3.5.6.9; 9:10.45:6 26. 20.32.32;6:1.3.5.6.9; 9:10.45:6 20.9 35:23.24:46:13 20.9 35:23.24:46:13 20.9 16:25.33 8 36:25 21.91.51:19.14:25; 16:22.17:15.21:12 2. 21.91.31.92.3; 22.93.32.24.21.2 22.22.24.21.71.92.2, 23.22.6; 23.91.24.10.92.3; 23.91.32.14.92.3; 23.91.33.12.14.92.3; 23.91.32.14.92.3; 23					
aling (1) 313.45.21; 519.9 concern (6) 141918.1419.14; 5111.11.16 concern (2) 11.2512.1 concern (1) 18.232.08.2110.20, 47:1 doi: 0.00.00.00.00.00.00.00.00.00.00.00.00.0					
calling (1) 3:13:34:5.21; 20:9 3:52:34:46:13 5:11:11.11.11.11.11.11.11.11.12.12.12.11.11.1					
209					
$ \begin{array}{c} 163:53:38 \\ \text{can} (33) \\ 6:8;11:19;14:25; \\ 16:22:17:15;21:12, \\ 18:26:22:27:15; \\ 18:26:22:27:15; \\ 14:9:10; \\ 14:9:10; \\ 18:15:31:23:29:35:25; \\ 25:37:25;38:10; \\ 39:19:21:42:10; \\ 44:16:20:47:6,77:12; \\ 44:16:20:47:6,77:12; \\ 44:16:20:47:6,77:12; \\ 44:16:20:47:6,77:12; \\ 42:16:20:47:10; \\ 42:16:20:47:10; \\ 43:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:16:20:47:10; \\ 44:10:20:47:10; \\ 44:10:20:47:10; \\ 44:10:20:47:10; \\ 47:10:20:22:12; \\ 25:10:31:38:10; \\ 24:34:71:10; \\ 25:31:1$	20:9				
can (33) 6.8:11:19:14:25; 16:22:17:15:21:12; 18:26:22:27:15, 15:31:23:29:35:25; 21:19:13:19:23; 25:37:25:38:10; 21:19:23:19:23:26:13, 39:19:21:42:10; 44:16:20:47:67.71; 21:15:48:35:92:25:38, 15:48:35:92:25:38, 15:48:35:92:25:38, 15:48:35:92:25:38, 12:19:13:19:13:18:14:20:21:23, 15:48:35:92:25:38, 12:19:13:19:12:17 17:29:18:14:19:12:17 17:29:18:14:18:12:23:25:26:13, 11:19:12:17 17:29:18:13:18:14:20:12:3, 11:19:21:17 17:29:18:13:18:14:20:12:3, 13:10 21:15:24:15:14:16; 22:35:26:110:27:79:29:12:3, 31:1 21:15:24:15:14:16; 11:18:22:35:26:110:27:79:29:29:39:29:29:29:29:29:29:29:29:29:29:29:29:29	came (2)				31:14,18,18;42:3,10;
6.83.11:19:1425; 16.22171:52:112, 182.622.222715, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.22221, 182.622.22221, 182.622.22221, 182.622.2221, 182.622.22221, 182.622.2221, 182.622.22221, 182.622.2221, 182.622.22221, 182.622.22221, 182.622.22221, 182.622.2221, 182.622.22221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.6222.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.6222.2221, 182.6222.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221, 182.622.2221,					
162217;15;21:12, claim (22) 18;26;22;27;15, day 10,10;18;18;6,14, 15;31;23;29;35;25;25;38;10; 21;19;13,19,23; 21;19;13,19,23; 21;19;13,19,23; 21;19;13,19,23; 21;19;13,19,23; 21;19;13,19,23; 21;19;13,19,23; 21;19;13,19,23; 21;19;13,19,23; 21;13,11,12,11,12,11,13,11,14,12,12,13,14,16; 21;13,14,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;13,14,16; 21;					
182.622.22;71:15. 14.9,10,18.18.6,14, 15:31:22:29:35:25. 25.57.25.38:10; 21:19:25.41.5;26:13, 21:19:25.41.5;26:13, 21:19:25.41.5;26:13, 21:19:25.41.5;26:13, 21:19:25.41.5;26:13, 21:19:25.41.5;26:13, 21:19:25.41.5;27:22.35:25.25.25.25.25.25.25.25.25.25.25.25.25.2					
1531;2:32:9:35:25, 211;9:131,923; 25:37:25,83:10; 39:19,21;42:10; 414;62:074;67,71.2, 11;73:71;44:123 15;48:35:022;53:8, 243:41;10; 31:15:8 claims (26) 37:61:01;91:18 24:35:13;10; 31:19:12:17 17:29:01:12,13; carcful (1) 21:15:24:15,14,16; 21:15:24:15,14,16; 21:15:24:15,14,16; 23:15:15:15; 23:15:15; 24:15					
253.72.53.8:10; 211:92.54.15.26:13, 391:9.214.210; 416.20.476.77.12; 115.272.22.35.25; 245.47.10 capital (1) claims (26) 13:18.14.20.21.23, care (2) 25:151.91.61.8; 11:19.12.17 (20.20.12.13; 11:18 12.35.32.61.02.77.9; 247.92.15 (20.20.12.35; 247.91.02.15.31.1 25.32.36.31.49.14, 25.32.26.11.14; 25.32.26.10.27.79; 247.92.15 (20.20.12.35; 247.91.20.20.12.35; 247.91.20.20.20.20.20.20.20.20.20.20.20.20.20.					
3919.21;42:10; 44.15,227;22,23;32:6, 14.15;271;22,23;32:6, 15:8,	25:37:25:38:10:				
$\begin{array}{llllllllllllllllllllllllllllllllllll$		14,15;27:22,23;32:6,			
$ \begin{array}{cccccccccccccccccccccccccccccccccccc$					
capital (1)         claims (26)         Conservation (3)         17:34:2;71:2;15,19,         37:6;1145:6;7.24,           56:10         13:18;14:20;21:23,         4:66:624/7:11         35:55:52.6;11.19,         50:55:2.6;10:27,         50:7,24,         50:1,41,72,124,         50:1,41,72,124,         50:1,41,72,124,         50:1,41,72,124,         50:1,41,72,124,         50:1,41,72,124,					
56:10   13:18;14:20;2.123,   4:66:244;11   25:35:2.6,11.14;   50:7   23:15:19,16,18;   11:19;12:17   17:20;20:12;13;   23:24:15,14,16;   11:18   25:3;2.61,10,277.9;   23:15   24:34;31:55:16,7   23:15   24:34;31:55:16,7   23:15   24:34;31:55:16,7   23:15   24:34;31:55:16,7   23:15:15   24:34;31:55:16,7   23:15:15   24:34;31:55:16,7   23:15:15   24:34;31:55:16,7   23:15:16   24:34;31:55:16,7   23:15:16   24:22,16,19:43:3,6,   22:13   24:12   25:34;41:14;12   25:34;41:14;12   25:34;41:14;12   25:34;41:14;12   25:34;41:14;12   25:34;41:14;12   25:34;41:14;13:					
$ \begin{array}{llllllllllllllllllllllllllllllllllll$					
11:19:12:17 17:20;20:12:13:					
careful (1)         21:15:24:15:14:16:         constrained (1)         14:17:21:24:39:1.5.         365:11:39:19:20.           11:18         25:32:62:10:10:27:7.9         53:7         10:14:17:24:49:27.9.         23:48:80:29:13:15:15           CARSON (1)         32:15:15         clarification (2)         38:10         42:29,16:19:33:36.         celar (1)           CAYs (1)         32:15:16         consult ant (1)         8,10:13.17:20:24.         dealing (1)           54:23         clear (9)         contending (1)         45:29.14.17:21:24.         December (4)           25:38,14:21,23;         clearl (9)         contending (1)         22:47.9;13:18:24.         25:21.9           25:38,14:21,25;         clearl (1)         29:18         48:5;10.18;22:24.         49:37,11,17;19:21.           Min-U-Script®         Capitol Reporters         Capitol Reporters         (2) broad - decr					
carryover (1)         34:23:43:155:16.7         consult (1)         19:22:41:11.16.20.         deal (1)         deal (1)           23:15         clarification (2)         38:10         42:29,16.1943:3.6         calcal (2)         42:29,16.1943:3.6         calcal (1)         dealing (1)         42:29,16.1943:3.6         dealing (1)         22:13         dealing (1)         45:29,14,17.21.24;         25:20,14,17.21.24;         25:20,14,17.21.24;         25:20,14,17.21.24;         25:20,17.24,17.21.24;         25:22         25:22         24:29,17.21.24;         25:20,23.24,17.21.24;         25:21.34,6.18         30:12.31.46,18         30:12.31.46,18         30:12.31.46,18         30:12.31.46,18         30:12.31.46,18         30:12.31.46,18         30:12.31.46,18         40:24.21.21.23;         30:12.31.46,18         30:12.31.46,18         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         30:12.31.46,18         30:12.31.46,18         30:12.31.46,18         30:12.31.46,18         30:12.31.46,18         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         30:12.31.46,18         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;         40:24.21.21.24;					36:5,11;39:19,20,21,
25:15 CARSON (1) 32:15:1-5 consultant (1) 3:1 clarity (2) CA's (1) 54:23 clear (2) clear (9) clear (9) 16:12:17:18:1; 25:2,38,14,21,23; clearly (1)  Min-U-Script®  23:15  clarification (2) 32:15:1-5 consultant (1) 32:10 32:15:1-6 consultant (1) 42:2,9,16,19:43:3,6, 8,10,13,172,02; 44:5,10,18,22;24; 45:2,9,14,7,12;24; 45:2,9,14,7,12;24; 45:2,9,14,7,12;24; 45:2,9,13,18,24; 25:2 contested (3)  49:3,7,11,7,19,21, 42:2,9,19,19,24, 42:3,7,11,7,19,21, 42:2,9,19,19,24, 43:3,7,11,7,19,21, 42:2,9,19,19,24, 43:3,7,11,7,19,21, 42:2,9,19,19,24, 43:3,7,11,7,19,21, 42:2,9,19,19,24, 43:3,7,11,7,19,21, 42:2,9,19,19,33,6, 44:2,9,16,19,43,36, 44:2,9,16,19,43,36, 44:2,9,16,19,43,36, 44:2,9,16,19,43,36, 42:2,9,16,19,43,36, 44:5,10,18,22,24, 44:5,10,1		25:3;26:1,10;27:7,9;	53:7	10,14,17,24;40:2,7,9,	
$ \begin{array}{llllllllllllllllllllllllllllllllllll$					
3:1					
$ \begin{array}{llllllllllllllllllllllllllllllllllll$					
54:23 clear (6) 29:18 46:49,12,15,18,20, 20:18,12,17:18:1; 20:5,32:5,51:25 clearly (1) 25:2 contested (3) 49:3,7,11,17,19,21, 40:40-decreed (1)  Min-U-Script® Capital Reporters (2) broad - decr					
case (29) 14:7;188:24:4,8; 25:38,14:21,23; 25:2 25:38,14:21,23; 25:2 25:2 25:2 25:2 25:2 25:2 25:2 25:				45:2,9,14,17,21,24;	
14.7;18.8;24.4.8; 20.5;32.5;51:25 25:2 48.5;10,18,22,24; 49:3,7,11,17,19,21, decreed (1)  Min-U-Script® Capital Reporters (2) broad - decr					
25:3,8,14,21,23; clearly (1) contested (3) 49:3,7,11,17,19,21, decreed (1)  Min-U-Script® Capitol Reporters (2) broad - decr					
			contested (3)		
		-		1	<u> </u>
	Min-U-Script®				(2) broad - decreed

State of Nevada - Division Applications 81719, 8172	20 and 81825		T	June 03
52:20	17:2;19:14;22:15;	6:10	4:25;9:9,24	43:25
Deep (1)	51:14	especially (1)	Exhibit (35)	finding (1)
37:25	Dusty (2)	23:25	6:19,21,22,23,25;	30:19
definite (1)	4:17;7:25	establish (3)	7:3,5,7,9,10,13,16,18,	fine (18)
15:4	duties (1)	13:9,19;32:8	20,22,23,25;8:2,5,7,9,	17:15;19:2;29:
definitely (1)	13:5	establishes (1)	11,13,15,17,19,21,24;	31:10,13;33:4,8
13:3	duty (3)	42:21	9:4,10,13;10:2;	43:12;44:4,5;4:
depending (2) 20:12;31:21	13:8,20;26:25	establishing (1) 51:7	18:17;50:20,23 exhibits (8)	48:21,21;49:2,1 54:7,18,20
deputy (2)	E	Etcheverry (5)	6:15,18;9:1,7;	finger (1)
3:10,12	L	4:3;6:25;7:13;8:2;	53:12,20,21,25	45:21
determination (1)	earlier (3)	11:11	existence (1)	finish (3)
51:14	23:24:32:5:51:5	EU (1)	24:13	13:25:33:5:40:
Diamond (10)	Easily (1)	55:13	existing (1)	firm (1)
4:3,6;6:23;7:1,10,	38:20	Eunice (1)	37:6	5:3
14,23;8:3;12:9;28:24	ECDA@EurekaNV (1)	55:12	expanding (1)	first (23)
dictate (1)	55:24	Eureka (12)	34:13	13:21;15:7,20,
25:5	echo (1)	5:2,7;7:3,16;8:5;	expensive (1)	23:14;24:11;25
different (6)	17:18	22:15,21;24:12,14;	39:12	29:16,19;31:6;
13:12;16:21,24;	Edward (1)	36:22;37:4;55:13	expert (2)	6;36:4;42:2;44
19:3;20:25;35:7	55:11	E-U-T-E-L (1)	35:22;36:4	20;45:18;46:25
digitally (1)	effect (1)	55:23	experts (1)	48:14,17;49:7,
53:12	25:2	even (5)	25:6	50:4
direct (1)	Either (2)	25:10;26:18,19;	_	five-week (1)
35:5	31:13;51:21	47:23;53:9	F	23:16
disagree (2)	electric (1)	everybody (5)		fleshed (1)
15:5;22:4	54:5	20:6;30:17;38:14;	face (1)	19:4
discussed (3)	electronic (6)	47:15;56:11	38:18	focus (1)
10:14;18:5;48:2	53:15,19,24;54:6,	everybody's (1)	fair (5)	14:15
discussing (1) 39:18	12,15	45:3	14:4;18:15;19:6;	folks (1) 44:13
discussion (5)	electronically (1) 54:8	everyone (3) 8:23,24;11:25	45:2,11 fall (1)	follow (1)
12:14;32:5;39:15;	o4:8 else (7)	evidence (29)	30:14	35:7
40:5;51:5	12:5;36:23,23,24;	14:9,11;15:8;	Family (5)	foreclosed (1)
dispute (1)	50:19,24;56:19	19:19;21:15;25:25;	4:3;6:25;7:13;8:2;	52:22
15:9	e-mail (2)	28:19;32:2,6,18,24;	30:3	forfeiture (2)
disputing (2)	53:16:55:1	33:6.6:34:1.21:35:3:	far (2)	27:22.23
25:13:28:17	e-mails (1)	36:10;41:12,13,15;	30:13:52:12	forgetting (1)
District (1)	56:8	43:1;44:16,17,19;	Farms (4)	34:10
5:4	end (1)	51:7,14,23;52:6,13	4:18;7:7,20;37:22	form (1)
diversion (7)	36:2	evidentiary (14)	feel (2)	14:11
20:24,25;21:4;	enforceable (1)	21:25;31:24;40:24;	9:24;46:23	formal (2)
26:20,21,25;27:13	16:18	41:2,7,10;43:18,21;	Felling (2)	14:24;19:20
divested (1)	Engineer (27)	44:1;49:11,15;50:4,9,	3:13;11:14	forms (1)
27:4	3:11,12;6:8,14;	15	few (1)	14:12
Division (1)	10:19;11:7;12:19;	exactly (2)	21:13	forth (4)
3:10	14:12;17:13;18:3,11;	26:18,20	figure (2)	3:5;4:23;6:5;46
DNRP (2)	19:22,24;20:10,18,	example (1)	21:11;35:11	forward (10)
54:23,24	20;21:2,6;26:11;	_ 53:23	file (7)	14:24;15:14,16
documents (4)	27:2;28:5;30:8;	Except (1)	6:6;18:13;32:14,	20;18:18;19:1,:
41:3;43:10,14;	38:19,23;50:7;52:12,	54:2	14;42:1,9;47:23	21:12
53:15	17	exceptions (1)	filed (14)	found (2)
done (4)	Engineer's (3)	29:7	9:18;14:21;16:2;	8:25;29:1
20:14,15;35:7,19	6:21;27:18;54:4	exchange (21)	26:19;27:3,12;32:11;	four (2)
down (2) 9:25:23:17	English (1) 56:17	41:7,15,17,18; 43:18.21:44:1.15.15.	42:7,11;43:5,11,14; 54:2.3	44:1;45:13 frequently (1)
9:25;23:17 drafting (1)	50:1 / enough (2)	43:18,21;44:1,15,15, 16,20,21;45:10,18;	54:2,3 files (2)	26:8
27:5	enougn (2) 33:9,18	49:8,12;50:5,9,15;	6:13;43:7	Friday (10)
dropping (1)	33:9,18 entitled (1)	53:24,24	6:13;43:7 filing (3)	37:15;45:4,17,
28:18	33:24	53:24,24 exchanges (5)	12:16;41:22,24	49:8;50:3,4,5,9
duplicative (1)	envisioning (2)	10:2:40:25:41:2:	filings (1)	full (2)
9:14	16:25;17:1	49:15:53:23	10:13	29:22:30:24
during (4)	equally (1)	Excuse (3)	final (1)	further (4)

14:22;18:23;56:20,		holiday (2)	irrigation (1)	Karen (7)
14:22;18:25;56:20,	Н	45:5:47:20	22:16	5:2,3,13,21;39:21;
uture (10)	н	Honor (1)	issue (17)	40:4:55:17
19:15:20:2:51:9.	half (10)	12:3	10:21:12:23:13:23:	keep (3)
18,20,23;52:6,23,25;	33:25:36:14.15.16.	hope (1)	14:5;15:2,15;24:4,6;	14:25;18:13;35:6
53:6	16,20,20;37:7,11;	34:14	25:11;36:9;43:20;	Kelvin (1)
-	44:3	hurdle (1)	48:1,1,2,3,4,7	3:12
G	hands (1)	6:17	issued (2)	Kenneth (5)
	43:10	hydrologist (3)	17:25;20:11	4:1;7:1,14;8:3,9
Gallagher (22)	handwriting (2)	3:13;5:8;36:4	issues (20)	kick (1)
4:14,15,15,17;7:5,	50:10;55:18	hydrology (19)	15:13;17:6;21:18,	30:25
18;37:19;40:14;41:1, 21;46:1,18,19;49:24,	happen (1)	23:25;24:7;25:6; 28:16;29:19;34:1,3,5,	21,25;22:3,10;24:24; 26:5:27:8:28:13:	kid (1) 9:25
25;54:19,20;55:11,	19:25	24:35:2.5.8.17.24:	32:17:35:18:46:24:	9:25 kill (1)
13,15;56:25;57:1	happened (1)	36:8,12;37:6;38:9,11	47:1,4,14;48:11;50:3,	23:9
ame (1)	32:5	30.0,12,37.0,30.7,11	4	kind (9)
50:25	happening (1) 31:6	ī	issue's (1)	14:13;15:2,18;
gave (1)	hard (2)	-	12:25	21:21;23:7,24;32:23;
11:3	54:3,5	ideas (1)	Ithurralde (3)	46:23;48:16
general (1)	head (3)	14:6	5:6,12,17	King (3)
28:14	5:7:23:9:46:21	identifies (1)	I-T-H-U-R-R-A-L-D-E (1)	3:11;51:19;56:6
gentlemen (3)	hear (8)	9:10	5:17	Kolvet (90)
6:1;37:8;54:9	4:9,14;24:18;	impact (5)	_	3:23,23,25;9:2,5;
George (1)	34:10;39:13;42:22;	24:4;34:22;35:16,	J	10:22;11:5,10,12;
55:11	52:14,18	17;37:6	* * /A)	13:16;14:7,17;17:17,
gets (1)	heard (2)	impacted (6)	Jake (3)	18;18:19;19:2,8,10;
19:15 ziven (2)	24:16;25:25	26:6;28:22;29:5, 16:32:20:33:7	5:7;6:2,3 James (5)	23:13,23;24:3,16,20, 22:25:12.14.19.22:
8:23,24	hearing (59)	impacting (1)	4:14,17;7:5,18;8:7	29:12.15:30:22:
ives (1)	3:5,15;4:17,18;	29:18	jammed (1)	31:14,17;32:22;33:2,
48:16	6:17;9:6,9,23;10:2, 10,20;11:1,4,23,23;	inclined (2)	48:17	8,11,22,25;34:6,14;
goes (3)	13:6;14:1;15:2;	43:24;49:12	Jason (1)	36:7,18;37:10,14;
23:15;32:6;33:5	16:25:17:4.4:18:16:	including (1)	3:11	38:10;39:4,7,13,15,
Goicoechea (3)	19:7,13,15;22:1,6,6,	40:13	JG (1)	18;40:1,4,18;41:9,17;
5:6,18,19	7,15;23:6,22;24:23,	indicated (1)	55:11	42:2,6,14,18,24;43:4,
G-O-I-C-O-E-C-H-E-A (1)	24;25:5;29:22;30:19,	51:19	JGEU45@gmailcom (1)	7,9,12;44:3,23;45:1,
5:19	20;31:20,21;32:8,23,	influence (1)	55:14	7,12,16;48:13,21,23;
Good (8)	25;33:5;39:11;41:1,	51:22	jiggle (1)	49:2,4,5,10;50:6,13;
3:4,19;21:2;29:2;	6,12;43:1,25;47:19;	influential (1)	44:11	53:22;54:9,14,16;
39:5,9;46:1,17	48:19,25;50:20,21;	52:6	Jim (2)	55:4,7;56:4,5;57:2,3
grab (1) 30:20	51:15;52:10,18;54:6	information (5) 13:9;26:4;27:19;	4:15;55:11 joined (1)	KPeterson (1) 55:19
graciously (1)	hearings (2)	32:8.10	40:25	33:19
40:10	39:10;53:13	initial (1)	joint (2)	L
grant (3)	held (1) 22:15	47:11	33:6;41:17	
21:19:28:6:29:4	help (1)	instead (1)	Joseph-Taylor (1)	land (1)
granted (2)	35:25	13:13	3:9	27:14
51:9,9	helps (1)	intend (3)	juggling (1)	language (1)
great (4)	20:10	16:15;19:3;32:14	49:3	27:10
23:19;54:21;56:12;	Henry (1)	intended (1)	July (5)	large (1)
57:6	55:9	16:10	47:20;48:8,14,17;	13:6
groundwater (13)	here's (3)	intent (5)	50:2	last (2)
16:8,9,14,16;17:9, 20;20:22;24:15;26:6;	22:6;35:16,16	16:12;17:19;18:20, 23:20:4	JUNE (3) 3:1;42:21;47:18	4:11;18:19 lately (2)
28:14,18;29:5;34:22	Hi (2)	25;20:4 interested (1)	junior (1)	53:13,21
group (2)	4:20;6:3	25:22	29:5	later (1)
11:3;35:18	Hickenbottom (1)	into (6)	justify (1)	12:10
uess (6)	3:12 high (1)	13:23:24:6:27:17:	15:7	law (1)
11:15;15:4,15;	21:14	34:13;44:15,20	justifying (1)	5:3
18:6;46:23;51:15	historical (1)	introduce (2)	18:22	LAWcom (1)
Guys (6)	52:15	3:13;6:15		56:10
29:13;30:15;34:7;	history (1)	involved (1)	K	lawyers (2)
38:4;45:25;50:14	26:2	24:24		46:15;53:4

least (5)	19:39:24:42:21:	mind (1)	myself (2)	14.18.19:40:12:50
14:8;32:25;36:6;	51:13,13;53:11;	12:12	4:19;37:23	NRS (1)
45:14;53:16	54:21;56:12	mine (2)		29:1
leaves (1)	loud (1)	36:16;56:9	N	number (7)
33:14 left (4)	49:22 lowering (1)	minute (2) 6:16.18	name (5)	8:13,15,18,19,21; 14:10:29:7
3:11,12;5:3;39:24	28:14	missed (1)	3:9;4:11;5:15,23;	numbers (1)
legal (19)	Lucky (2)	50:8	38:24	50:20
8:25;12:15,24;	45:24,25	mistaken (2)	names (1)	_
21:18,24;22:3,8,9;		13:18;42:12	5:9	О
40:23,23;46:16,22;	M	misunderstanding (1) 42:25	Nancy (1)	0 (1)
47:4,20;48:10,11; 50:2,3,25	Mac (1)	Mitigate (3)	55:9 Natural (4)	00o- (1) 3:2
legally (1)	31:22	12:19,20;29:4	4:6;5:7;6:23;7:10	object (3)
47:8	MacKenzie (2)	mitigated (1)	nature (3)	11:1;13:17;14:5
lengthens (1)	5:3;55:20	13:20	12:9;13:9;25:4	objection (6)
25:7	M-A-C-K-E-N-Z-I-E (1)		need (27)	9:3,5;10:20;11:16
less (4) 16:17,17,17,17	55:20 makes (2)	17:21 mitigation (3)	10:8;13:21;15:3; 16:18;21:25;23:5,21;	24:8;52:9
levels (1)	36:6.9	13:4;17:14,16	26:23;28:19,20,21;	observing (1) 37:20
28:18	Malcolm (4)	MONDAY (6)	32:16;33:19;37:3;	obviously (2)
Levi (1)	3:14;30:21,21;	3:1;34:10;37:5,25;	41:11;43:25;46:4,23;	14:5;25:23
38:25	42:10	38:1,7	49:14;50:19,24,25;	occur (1)
likes (1)	manner (1)	money (2)	51:1;53:11;55:1;	53:1
53:18 limine (1)	27:14 many (3)	54:22;56:12 month (3)	56:14,19 needed (1)	Oct (1) 50:5
32:13	many (3) 20:14;23:21;43:25	month (3) 41:7;44:12;48:11	41:15	October (15)
limit (1)	March (3)	more (5)	needs (3)	22:7,17;23:4,4,13
43:4	42:7,8,11	5:20;14:24;34:13;	10:1;14:13;55:7	14,17;31:16;44:12
Limited (5)	Mark (8)	39:11;45:15	NEVADA (8)	45:4,4,9;50:13,14
4:3;6:25;7:13;8:2;	4:18,19,20;7:7,20;	morning (3)	3:1;4:23;6:5,12;	off (6)
17:25 line (1)	8:11;37:22,22	10:14,18;12:13	45:6,7;50:7;55:24	38:12;40:7,8;
56:3	MarkMoyleNHC (1) 55:8	most (3) 14:8;18:6;33:21	new (7) 3:14:11:23:15:17.	47:16;48:6;49:14 office (4)
list (4)	matter (1)	mother (1)	23;27:4;28:4,15	6:14;20:11;27:18;
8:24;11:24;47:2,14	3:7	56:18	next (2)	54:4
lists (1)	matters (2)	motion (1)	37:25;38:1	officer (1)
50:22	9:25;56:14	32:13	Nice (2)	3:15
little (5) 9:25;13:24;16:21,	May (7) 3:6;6:20;14:8;	motions (1) 31:21	39:1;56:17 Nodded (1)	often (1) 3:14
24:45:15	28:16;42:15;53:4,4	mouth (1)	46:21	one (46)
LLC (2)	maybe (6)	29:23	none (1)	4:17,18;5:20;6:7;
7:7,20	17:2;21:25;45:5;	move (1)	9:6	9:9,15;10:11;12:2
long (5)	48:3;52:8,8	19:25	nonuse (1)	15:12,22;16:20,25
24:23;25:5;26:2; 30:11;52:18	mean (18)	moving (1) 21:11	27:20	18:8;20:15;24:10,
look (6)	11:18;12:23;13:23; 16:10;18:12;25:17;	Moyle (36)	normal (2) 44:24,24	25:19;27:1,15;33: 14;34:2,9,13,17;
9:17;19:19;27:15;	27:3,17;30:10,11,16;	4:17,17,18,19,19,	note (1)	35:21;36:13,15,20
38:11;39:8;51:17	31:9;34:9;35:15;	20,20,22;7:7,20,25;	5:4	41:15,17,24;42:6,
looked (2)	41:20;47:5,25;51:12	8:7,11;37:19,22,22,	notice (10)	11,12,12,14,16;
11:21;28:7	meaning (1)	22;40:2,13;41:1,21;	3:5;6:13,19;11:4,	43:21;44:11;45:17
looking (5)	16:8	46:1,3,7,11,14,17; 49:21.23:54:17.18.	17,23;12:1;50:20,21;	47:23;50:22;51:11
16:15;18:4,6,9; 24:25	means (2) 53:15,24	23;55:3,10;56:23,24	54:6 noticed (7)	52:22 ones (2)
looks (1)	meant (1)	Moyle@gmailcom (1)	3:6:10:15:11:13.	21:3:26:14
23:19	27:6	55:9	20;15:21,22;53:10	one's (2)
losses (1)	meet (1)	much (5)	notwithstanding (1)	36:12,12
17:21	39:1	41:6,11;45:10;	27:2	only (8)
lost (3)	middle (3)	48:14;57:6	novel (1)	26:13;29:3;31:10;
12:20;17:21;24:2	19:7;31:5;35:9	must (2) 21:14:38:21	22:13 November (13)	33:14;34:9;36:4;
lot (15) 11:22;20:14;25:1;	might (6) 11:2;19:18;26:5;	21:14;38:21 mutual (1)	November (13) 22:7,17;23:6,19;	42:14;44:20 open (1)
26:2,4;27:8;28:13,	35:4;45:5;52:23	41:17	29:21,22;30:23;31:3,	31:7

	State of Nevada - Division of Water Resources Applications 81719, 81720 and 81825				
opened (1)	39:18	point (19)	20:2;52:14;53:1		
29:23	Paul@legalTNTcom (1)	11:1;18:18,22,23;	proof (11)	0	
opening (1)	56:3	19:1;20:24,25;24:22;	8:13,15,17,19,21;	_ `	
47:11	pave (1)	29:2,11;32:7,17;51:4,	14:7,8,18;18:17,21;	quality (1)	
opinion (1)	51:16	24;52:1,2,3,4,12	19:3	19:19	
53:6 opportunities (1)	people (7) 11:20;30:19;31:5;	points (3) 21:4;26:20;43:2	proofs (2) 20:9;24:1	quantification (1)	
44:17	39:11;41:2,4;56:12	portion (3)	propose (1)	15:4	
opportunity (4)	per (1)	24:9;32:23,25	47:3	quantities (2) 15:7;21:16	
15:9;21:17,24;46:6	14:14	portions (1)	proposed (2)	quantity (4)	
opposed (2)	period (3)	33:3	22:7;23:4	26:21;27:8,24;32:9	
16:5;31:18	17:3;26:3;48:25	position (2)	proposing (1)	quasi (1)	
oral (2) 12:24:14:3	permit (1) 20:1	13:3,14	40:5 Protection (3)	51:12	
order (12)	permits (1)	possible (1) 48:13	4:6:6:23:7:11	quickly (2)	
6:21:13:19:16:3:	20:11	prefer (2)	protest (28)	24:25;27:16	
17:25;18:2;28:24,24;	permitted (1)	31:14,17	6:24;7:1,3,5,7,11,	quite (4) 5:9;15:19;17:6;	
29:7;32:18;49:13;	19:25	preference (2)	14,16,18,20,23,25;	35:10	
50:19;53:19	person (1)	43:23;53:12	8:3,5,7,9,11;23:1;	33.10	
org (1)	54:11	prehearing (5)	24:12;25:11;26:15,	R	
55:24	PETERSON (103)	3:7;6:10,19;11:18;	16,17;27:5,15,24;		
origin (1) 13:7	4:25;5:2,2,3,14,22; 6:2:10:3,6,9,10,15.	31:21	29:17;37:17 Protestant (3)	raise (8)	
original (3)	17;12:4,6,8;14:19;	preliminary (3) 9:25;10:3;51:14	11:3.8:17:5	21:18;47:4,5,6,6,7,	
6:7;13:9;18:3	15:11,15,25;17:9;	prepare (2)	Protestants (13)	10;52:9	
originally (1)	18:4,10,12,16;20:4,	18:8;35:25	15:9;33:17;36:21;	raised (6) 25:10;27:8,21;	
14:21	17,19,21;21:3,5,7,17,	prepared (2)	37:12;39:23,25;	28:13:32:17:48:3	
Otherwise (1)	21,23;22:11,14,18,	32:22;50:22	40:12,20;42:4,19,22;	raising (2)	
36:1	20,23;23:2;24:17,18;	present (1)	43:20;45:18	48:11;50:2	
out (18)	25:24;26:9,10,12,17;	46:5	Protestants' (1)	Ranch (1)	
11:2;16:3;17:25; 19:4;21:11;22:1,3;	27:1,17;28:1,4,9,12, 21;29:3,11;30:10,16;	presented (4) 14:11;19:4;44:21;	50:17 protested (2)	10:25	
25:7;30:13,25;33:3;	32:17;33:16;34:17,	52:13	3:7:20:16	Ranches (4)	
35:12:37:18:39:4.23.	18,24;35:1,4,9,13;	preserve (2)	protests (3)	3:18,20;26:14; 37:13	
24;49:21;50:20	36:13,16,19,22;	14:3,5	9:24;25:1;28:8	rate (2)	
over (3)	37:12,15,17;40:14,	pretty (4)	prove (2)	26:25;27:13	
6:17;12:9;29:13	16,21,24;41:8,20,24;	21:14;26:17,22;	29:7,10	rather (1)	
overlapping (1)	42:4;43:22;44:6,7;	28:4	proves (1)	53:25	
15:18 own (2)	45:5;47:3,10,14,17; 48:8,9;49:16,18;	previous (1) 52:10	32:19 provided (2)	read (2)	
34:1;35:2	50:11;52:1,3;54:7;	primarily (2)	6:12;16:3	48:19;55:18	
54.1,55.2	55:1,19;56:18,20	25:15;32:23	pseudo (1)	reading (1) 12:12	
P	P-E-T-E-R-S-O-N (1)	priority (10)	51:12	real (2)	
	55:19	12:11,16;13:4,7,15,	pumped (1)	18:15;27:16	
page (2)	pipe (1)	20;14:16;16:17;47:1;	26:3	really (16)	
50:18,21	13:13	48:1	pumping (7)	15:19;16:5;17:3,	
paper (2)	place (3)	probably (3)	24:5,15;25:2;26:6;	11;25:12;27:9,23;	
53:20,25 part (12)	3:6;13:8;39:9 plan (3)	24:9;26:4;36:13 problem (4)	29:5;32:19;34:22 purpose (1)	28:19;31:9;35:19;	
14:17;17:4;23:25;	37:19,23;50:25	16:1;31:11,11;54:2	33:2	40:25;41:16;46:23;	
25:20;28:23;35:10;	plane (1)	problems (2)	put (17)	48:5;49:12;51:16 reason (4)	
37:17;40:2;43:1;	38:3	30:18;31:4	11:24;15:8;18:20;	10:6:21:24:31:10:	
48:17,17;54:23	planning (3)	procedurally (1)	34:4;35:24;36:8;	46:3	
parties (8)	25:18;30:14;37:21	22:2	44:15,20;46:12;	reasonable (1)	
6:11;11:22;17:3;	please (8)	procedure (2)	50:20;51:14;52:6,24;	39:11	
36:2,8;40:10;55:17; 56:7	4:11;5:16,24; 29:14;30:20;38:15;	14:25;21:8 proceed (2)	53:8,19;55:4,21 puts (2)	rebuttal (4)	
Partnership (4)	39:17;42:10	9:23:35:20	40:11;44:12	33:15;37:16;44:15,	
4:4:7:1.14:8:3	plenty (5)	proceeding (4)	putting (5)	17	
party (1)	27:19;33:11;44:13;	12:22;15:6;53:6,10	13:23;25:25;34:20;	received (1) 9:7	
51:1	45:12;49:4	proceedings (2)	37:19;51:13	recent (1)	
Paul (4)	PM (2)	44:25;57:8		18:6	
3:19;6:3;34:16;	3:1;57:8	process (3)		recess (1)	
Min-U-Script®	1	Capitol Reporters 775-882-5322	1	(6) opened - recess	

20.12	12.49.12.40.4		22-22-26-11-41-12	5.1.24.20.20 1
38:13 recognizable (1)	12;48:12;49:4 responding (1)	satisfy (1) 28:25	23:22;36:11;41:12; 46:24	5:1;24:20;29:1: 33:20;41:9;45:2
38:20	48:5	saves (2)	setting (1)	50:14;56:8
recognize (1)	response (1)	54:21;56:12	46:2	sorts (1)
38:17	48:15	savings (1)	several (1)	28:2
record (19)	rest (1)	36:5	32:17	sought (2)
3:4,9,18;5:5;8:23;	44:8	saw (1)	shaking (1)	17:23;18:22
9:10:13:23:17:5:	rethinking (1)	15:5	23:9	source (6)
38:12;39:16,17;40:7,	49:5	saying (2)	Shall (1)	13:13;16:24;20
8,9;46:20;52:10;	Rick (1)	24:16;26:6	36:11	23,25;21:5
55:17,22;56:7	3:13	scanned (3)	shared (1)	sources (1)
records (3)	right (55)	53:13,15,20	6:10	21:13
6:14;27:18;32:7	3:15;11:12;12:15;	scheduling (1)	sharing (1)	speak (1)
reference (1)	13:4,5,7,9,12,14;	11:23	37:7	36:24
9:16	14:16,17;15:2,15;	se (1)	sheet (1)	specific (2)
referring (2)	16:16;17:9,12,14,14,	14:14	55:5	16:8,15
42:7;53:23	16,16;18:10,11;	season (1)	sheets (1)	Spell (3)
regarding (1)	19:22;21:7;22:14;	22:16	56:1	4:11;5:15,23
21:18	23:7,8;24:5,10,13,15;		Shellie (1)	spelled (1)
related (3)	25:19;28:1;32:15;	38:15	6:18	5:10
18:21;26:5;36:10	33:23;34:25;35:16,	second (16)	SHODA (4)	spelling (1)
relying (1)	24;37:14;38:7;41:11,	8:17;9:9;11:13;	38:16,20,25,25	5:11
29:6 remark (1)	23;43:15;45:18;	18:16;24:11;41:7,9,	Short (2) 38:13:40:8	split (1) 39:19
27:13	46:11,11,14;47:17, 20;49:18;50:12;	12,12;44:14,17,20; 45:9;48:14;50:8,15	shorten (1)	spoken (1)
remember (3)	52:20,21,24,25	43:9,48:14,30:8,13 section (3)	24:9	37:2
9:19,20;21:3	rights (31)	3:16;6:13;34:24	show (3)	spring (2)
repeat (1)	11:17;12:20;13:18,	seeing (1)	26:22;28:22;29:16	16:11,19
24:21	20.21:16:4.10.23:	34:12	side (1)	springs (1)
replace (3)	17:20,22;20:12;24:4;	seeking (1)	17:23	20:6
15:3;17:20;20:22	26:1,3,6,7,9,10,16;	18:2	sides (2)	springwater (1)
replacement (11)	28:22;29:4,6,19;	seem (2)	44:15,16	16:23
15:16;16:4,6,11,	33:7;34:22;37:6;	23:8;29:6	sighs (1)	stand (1)
18;17:12;21:19;28:9,	46:15;51:8,9,17;	seems (2)	37:25	10:8
23;32:18,19	52:23	22:1;48:2	sign (2)	standalone (1)
reply (3)	roll (1)	senior (2)	38:15;56:2	17:12
48:16;49:8,13	37:25	12:20;29:4	sign-in (1)	standard (1)
report (1)	room (4)	sense (3)	55:25	21:14
41:5	23:7;30:19,20;31:5	19:12;36:6,9	sign-up (1)	standpoint (1)
reporter (8)	rule (1)	separate (3)	55:4	17:22
4:13;5:10,16,24;	53:9	9:15;14:14;23:24	sitting (1)	start (3)
6:6,9;29:14;46:21	run (1)	separated (2)	34:7	3:18;39:9;47:15
reports (3)	50:1	17:5;33:3	situation (1)	started (3)
41:22;42:5,20	running (1)	separating (1)	22:13 six (1)	6:16;10:1;19:21
represent (1)	37:18	40:19 September (4)		starting (2)
40:13 represented (1)	S	September (4) 23:15;45:18,20;	45:16 six-week (1)	20:9;23:15 State (30)
represented (1) 46:16		23:15;45:18,20; 50:4	34:16	3:11.12:6:7.14.
representing (3)	Sadler (14)	series (1)	smiling (1)	10:18;11:7;12:1
4:2,19,21	3:18,20;10:11,15,	12:10	29:23	14:12;17:13;18:
represents (1)	25;15:22;16:19,22;	serious (1)	solution (1)	19:22,24;20:10
11:11	17:1.7.23:24:10:	24:8	40:5	20;21:2,6;26:11
request (2)	26:14:37:13	serve (1)	somebody (3)	27:2.18:28:5:30
10:22;22:15	Sadler's (2)	54:8	14:25;30:25;36:23	38:19,23;50:7;5
requested (1)	25:20,23	served (1)	someday (1)	17;54:4
21:16	same (19)	53:15	45:8	stated (1)
Resources (6)	11:5,22;13:12,15;	service (5)	Someone (2)	16:10
3:11;4:6;5:7;6:23;	17:2,3,6,22;21:5;	11:24;53:14,17;	52:8,24	statements (1)
7:10;16:13	31:4;32:23;36:10,10;	54:12,15	sometime (2)	46:5
respect (2)	44:23;46:7,10,19;	serving (1)	19:15;45:8	statute (1)
14:9;24:1	50:17,21	53:25	son (1)	12:15
respond (6)	Santa (1)	set (7)	23:17	Steve (1)
44:21;46:6;47:8,	23:17	3:5;4:23;6:5;	sorry (8)	3:15
	1	1	1	1

pplications 81719, 817	20 and 81825	1		June 03, 201
till (2)	5:9;9:17;13:2;14:4,	testifying (2)	tributary (1)	13:8;16:13;27:19;
15:17;54:24	24;15:19;16:5,5;	37:20,23	16:11	52:15
ream (1)	20:20;25:10;26:20;	testimony (4)	trouble (1)	used (7)
19:16	28:5;31:23;32:3,4,	24:7;25:7;28:19;	38:22	16:9;17:9;20:22;
reams (1)	12;35:10;42:3;43:3;	42:22	truly (2)	26:3,7;27:11;46:2
20:6	45:3;47:23	Thanksgiving (6)	28:23;32:19	users (1)
rength (1)	surface (8) 16:23;17:10;20:23,	23:8,9;30:4,8;38:7,	try (6) 22:2,5;30:1,2,25;	20:5 using (1)
20:12 retch (1)	24;21:1,5;29:4;34:22	Therese (6)	35:18	17:9
17:2	surprised (1)	4:2;36:25;37:1;	trying (10)	usually (1)
udy (1)	41:4	53:18;56:8,9	14:15;15:3;17:17;	30:3
24:25	Susan (2)	thinking (3)	21:11:22:13:27:21:	30.3
uff (2)	3:9;56:18	28:15;41:14;47:15	35:11;39:10;43:3;	v
39:21:53:19	system (1)	Thompson (2)	52:15	
ibject (6)	24:5	14:22;24:11	Tuesday (5)	V01115 (1)
19:4;20:2;27:9;		T-H-O-R-N-D (1)	34:11;37:6,25;	18:17
46:9;51:9,20	T	56:6	38:1,7	V-01115 (3)
ıbmit (1)		though (1)	turned (1)	8:14,16,18
32:6	table (2)	11:2	34:8	V-03289 (1)
ıbmittals (1)	8:25;28:14	thought (1)	two (29)	8:20
32:2	Taft (1)	42:11	5:5;9:18,20;10:11;	V-03290 (1)
ibmitted (3)	14:21	three (10)	15:21;23:24;33:6;	8:22
14:7,9;32:7	Taggart (56)	15:21,21;39:19,20;	34:2;36:4,11;39:21,	vacation (2)
ibsequently (1) 10:23	3:19,19,21;10:25;	44:2,3,4,5,11;45:17 throw (1)	23;41:7,8;42:3,9,10, 13,20;43:7,21,22,23;	30:2,11 vacuum (1)
ibstantial (2)	11:15;12:25;13:2; 16:6,7;17:7;23:11;	22:1	44:1.7.11:45:17:	21:13
14:11:16:17	29:9.25:30:3.5:31:2.	Thursday (7)	50:22;54:5	valid (1)
ıbstantiate (1)	7,9;32:1,4,21;33:12,	38:8:45:9:50:6.12.	two-week (3)	21:15
52:15	20,23;34:4,9;35:20,	13.14.15	47:19:48:18.25	Valley (3)
ibstantiating (1)	21;36:15;37:9;38:2,	Tibbitts (3)	type (2)	12:9;24:5;28:24
41:22	6;39:3,8;41:14,19;	5:7;6:2,4	36:10;51:15	Venturacci (14)
ibstitute (1)	43:13,16,19;44:2,14,	T-I-B-B-I-T-T-S (1)		3:22;10:12;14:20,
13:14	19;45:23;47:22,25;	6:4	U	22;15:22;16:21,22;
ibstituted (1)	51:4;52:5,22;53:14,	tickets (1)		17:2,4;18:10;26:16;
13:5	22;54:3,17;55:25;	38:3	Um-hum (3)	27:12;37:15;41:21
ıfficient (1)	56:2;57:4,5	tied (1)	21:20;32:21;52:16	vested (39)
38:4	talk (9)	14:13	under (5)	13:18;14:10,18,20,
iggest (1)	9:23;15:13;21:11;	till (1)	12:15;18:2;29:5,7;	20;15:1;16:4;17:20;
32:24	27:24;29:13;32:2;	13:25	32:17	19:13;20:12,13;
ggesting (1)	47:1;49:21;51:3	times (1)	undergo (1)	21:13;24:1,5,9,13,15
25:16	talked (3)	20:14	35:23	25:2,4,15;26:1,10,16
ggestions (1)	12:13;39:20;40:4	today (4)	underlying (2)	27:7,9;32:6,7,11;
33:9 pplemental (20)	talking (6) 10:1;24:22;34:19;	25:24;27:2;42:10,	13:17,21 unless (1)	33:3,6,12,19;34:23;
14:8;15:17,24;	35:14;38:6;44:14	today's (1)	30:25	35:16;37:14;41:23; 43:15;51:6,7
16:1,5,7,9,13,14,16,	target (1)	42:3	unusual (2)	via (1)
23:17:8.10.10.16:	18:20	together (3)	21:9:22:13	53:24
27:1,4,6,14;28:15	Taylor (1)	14:13;34:16;35:7	up (10)	Vice (1)
pplemented (1)	54:23	told (1)	10:19,21;17:15;	5:6
42:17	Teal's (1)	31:15	24:9;35:7;39:19;	view (1)
ipplements (1)	42:5	Tom (1)	48:7,17;56:13,19	36:6
42:25	Ted (2)	56:5	upon (2)	
pplied (1)	5:4;55:23	topic (3)	36:17;37:5	W
55:7	T-E-L (1)	12:14,14,21	Ure (31)	
ipport (2)	5:12	total (1)	4:2,2,5;9:9,12,13,	wait (3)
32:10;42:5	term (3)	26:25	15,16,19,21;12:1,3;	13:25;46:24;53:3
pported (1)	16:8;17:8;20:1	training (1)	13:17;19:12;28:13;	waive (1)
14:18	terminology (2)	9:8	31:13;37:2;40:13,17;	11:16
ipporting (3)	17:14,15	transcript (3)	41:21;43:23;44:6;	walking (1)
37:14;43:14;52:25	terms (3)	6:7,8,10	45:20;49:19,20;	41:4
pports (2)	18:7;52:14,20	trial (5)	54:12,13;56:9,9,21,	Walmsley (2)
15:8;19:19 ire (21)	testify (1) 35:22	23:14,15,16;34:16; 46:2	22 use (4)	3:15;42:13
HC (41)	33:22	40:2	usc (4)	wants (1)

Applications 81719, 817	20 and 81825			June 03
32:18	38:9;46:4	18th (9)	47:18,20;48:8,21;	87120 (1)
Water (27)	word (4)	23:6,19;29:22;	50:2,12	10:11
3:10;13:4;16:23;	12:18;16:1,8,13	31:2,10,19,25;40:12;		8th (1)
17:10,12;18:22,24;	work (18)	50:16	4	48:24
19:16;20:23,24;21:1,	22:5,7;23:13;30:1,	19 (1)	4.40	9
5;24:4;26:3,21;27:6,	7,15;31:7,22,23,24;	8:5	4 (2)	9
9;28:9,22,23;29:4,6, 18;32:18,19;34:22;	37:4,16;39:22;40:22, 24;44:8,10;53:4	19th (5) 23:17;37:12;40:12;	6:23;29:7 4th (1)	9 (2)
51:8	worked (2)	48:25;50:16	50:9	7:9:23:4
W-A-T-E-R-Law (1)	30:6;39:4	40.23,30.10	50.7	9th (2)
56:10	Works (1)	2	5	3:6;6:20
waters (1)	45:24			
16:4	worry (1)	2(1)	5 (1)	
way (15)	39:22	6:21	6:25	
14:2;22:2,3;23:6;	wrong (2)	2:44 (1)	533 (3)	
26:19;31:23;35:20; 36:3;38:21;41:19;	16:22;45:22	57:8 20 (1)	6:6,12;29:1 534 (1)	
51:17,21;53:17;	Y	8:7	29:1	
54:10,25		2013 (4)	27.1	
wedding (1)	year (3)	3:1,6;6:20;42:11	6	
23:16	11:9;23:11;28:18	20th (3)		
Wednesday (3)	Yep (1)	37:13;40:12;50:16	6(1)	
47:19;48:7;50:2	36:19	21 (2)	7:3	
week (22)		8:9;9:13	6th (1)	
23:5,14,18;29:22;	1	21st (4)	31:8	
30:5,9,20,24,25;31:5, 6:34:9.13:36:2.4:	1 (2)	23:5;37:14;40:14;	7	
37:25;38:1,7;39:6;	1 (3) 6:19;9:1,4	22 (1)	/	
48:14,24;52:18	1:30 (1)	8:11	7 (1)	
weeks (10)	3:1	22nd (9)	7:5	
34:8;41:7,8;42:3,	10(1)	23:6;29:23;31:2,	70 (1)	
10,20;43:25;44:1,1;	7:10	10,20,25;37:15;	28:12	
45:13	11 (1)	40:15;50:16	71 (1)	
Welcome (6)	7:13	23 (1)	10:19	
3:24;4:5,16;6:5;	12 (1)	8:13	72 (1)	
9:22;39:1 weren't (3)	7:16 1226 (3)	23rd (1) 23:5	10:19 73 (2)	
21:16;23:12;26:3	6:21;16:3;28:25	24 (1)	10:19;11:21	
what's (5)	1-27 (1)	8:15	7th (1)	
17:23;24:24;38:24;	9:7	24th (3)	23:4	
42:20;54:2	12th (2)	45:9;50:13,15		-
whole (7)	42:16;45:18	25 (2)	8	
20:14;23:5;25:1;	13 (1)	8:17;18:17		
30:20;33:19;46:12;	7:18	25th (1)	8 (1)	
48:24 who's (1)	13th (6) 45:20.21.23:49:8.	45:4 26 (1)	7:7 8100 (1)	
5:7	45:20,21,23;49:8, 12:50:4	26 (1) 8:19	12:10	
wide (2)	14 (2)	27 (3)	81719 (9)	
20:9;31:7	7:20;23:5	8:21;9:1,4	3:8;6:22,24;7:2,4,	
wife (1)	14th (1)	28th (2)	6,8;10:11;26:24	
23:9	23:4	44:12;45:4	81720 (7)	
willing (2)	15 (1)	2nd (3)	3:8;7:9,12,15,17,	
30:7;53:16	7:22	31:7;49:8;50:3	19,21	
Wilson (1)	16 (2)	3	81825 (10)	
3:14 within (3)	7:23;23:5 16th (2)	3	3:8;7:22,24;8:1,4, 6,8,10,12;10:12	
19:13;42:3,20	42:8,11	3 (2)	82268 (2)	
without (1)	17 (1)	3:1:6:22	10:16;11:1	
14:24	7:25	300 (1)	82570 (4)	
witnesses (1)	17th (1)	6:13	10:19;11:21;28:12;	
41:2	42:21	32893290 (1)	41:25	
wondering (5)	18 (3)	27:4	82573 (2)	
10:6;12:8;21:7;	8:2:9:14.17	3rd (6)	28:12;41:25	1