



Nevada Division of  
**WATER RESOURCES**

STATE OF NEVADA  
Department of Conservation and Natural Resources  
Joe Lombardo, Governor  
James A. Settelmeyer, Director  
Adam Sullivan, P.E., State Engineer

February 2, 2024

Matthew A. Nightingale  
Smith Valley Fire Protection District  
1 Hardie Lane  
Smith, NV 89430  
Regular and Certified Mail #9489009000276498712889

**NOTICE OF HEARING** in the matter of Cancelled Permit 68458

Dear Mr. Nightingale:

Permit 68458, which is currently held in the name of the Smith Valley Fire Protection District, was cancelled as of January 10, 2023. This permit was cancelled for the Permittee's failure to timely file the Proof of Beneficial Use or an Application for an Extension of Time as provided under Nevada Revised Statute (NRS) § 533.410. The State Engineer has received a written petition from Matthew A. Nightingale, requesting a review of the cancellation at a public hearing, pursuant to NRS 533.395(2).

NOW THEREFORE, the hearing will begin promptly **at 9:00 a.m. on Thursday, February 29, 2024 at the Division of Water Resources, Pyramid Conference Room, 2nd Floor, 901 S. Stewart Street, Carson City, Nevada.** Alternatively, if you would like to attend via Teleconference, please notify me no later than **Wednesday, February 21, 2024.** To attend via teleconference, you may call in by dialing (775) 321-6111. At the voice prompt, connect to the meeting by entering the Phone Conference ID: 630 172 070#. Failure to appear at the designated time and place will result in an affirmation of the State Engineer's cancellation.

You or your designated representative should plan to attend for the purpose of presenting evidence or testimony in support of your position concerning the cancelled permit. You are expected to come to the hearing with an original and one copy of any exhibit that is being offered into evidence for submission to the State Engineer. We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the hearing. If special arrangements for the hearing are necessary, please notify me in writing at the Division of Water Resources, 901 South Stewart Street, Suite 2002, Carson City, Nevada, 89701, by e-mail at [mbeutner@water.nv.gov](mailto:mbeutner@water.nv.gov) or by telephone (775) 684-2821, as soon as possible.

If you need immediate assistance on the day of the hearing, call (775) 684-2800 and ask to speak with staff regarding the hearing for Cancelled Permit 68458.

Sincerely,

Mark Beutner  
Water Resource Specialist

MB/jm

cc: Robert Loveberg