

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

-o0o-

IN THE MATTER OF HEARING RE
APPLICATIONS 53987-53992

VOLUME I

RE CAVE VALLEY, DRY LAKE VALLEY,
DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 1 - 266

TRANSCRIPT OF PROCEEDINGS
PUBLIC HEARING
MONDAY, FEBRUARY 4, 2008

REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

I N D E X

APPLICANT'S WITNESSES: Direct Cross Redirect Recross

KAY BROTHERS

By Mr. Taggart	102		138	
By Mr. Herskovits		129		143
By Mr. Benesch		137		
By Staff	150			

ANDREW BURNS

By Mr. Taggart	157			
----------------	-----	--	--	--

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

-o0o-

IN THE MATTER OF HEARING RE
APPLICATIONS 53987-53992

VOLUME II

RE CAVE VALLEY, DRY LAKE VALLEY,
DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 266 - 488

TRANSCRIPT OF PROCEEDINGS
PUBLIC HEARING
TUESDAY, FEBRUARY 5, 2008

REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

-o0o-

IN THE MATTER OF HEARING RE
APPLICATIONS 53987-53992

VOLUME III

RE CAVE VALLEY, DRY LAKE VALLEY,
DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 489 - 701

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING

WEDNESDAY, FEBRUARY 6, 2008

REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

I N D E X

APPLICANT'S WITNESSES: Direct Cross Redirect Recross

JAMES THOMAS

By Mr. Taggart	496	581	
By Mr. Herskovits		570	583
By Mr. Benesch		580	
By Staff	584		

MICHAEL TURNIPSEED

By Mr. Taggart	606		
By Mr. Herskovits		639	
By Staff	641		

FRANK D'AGNESE

By Mr. Taggart	652	687	
By Mr. Herskovits		680	688
By Staff	688		

EXHIBITS MARKED:

(See Volume I)

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

-o0o-

IN THE MATTER OF HEARING RE
APPLICATIONS 53987-53992

VOLUME IV

RE CAVE VALLEY, DRY LAKE VALLEY,
DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 702 - 885

TRANSCRIPT OF PROCEEDINGS,

PUBLIC HEARING

THURSDAY, FEBRUARY 7, 2008

REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

I N D E X

APPLICANT'S WITNESSES: Direct Cross Redirect Recross

JOHN ENTSMINGER

By Mr. Taggart 706
By Mr. Herskovits 718
By Staff 725

JAMES WATRUS

By Mr. Van Zandt 737
By Mr. Herskovits 745
By Mr. Benesch 747
By Staff 748

RICHARD HOLMES

By Mr. Van Zandt 752 778
By Mr. Herskovits 773 779
By Staff 781

CAVE VAL. RANCH'S WITNESSES: Direct Cross Redirect Recross

TIMOTHY SULLIVAN

By Mr. Walch 793 871
By Mr. Van Zandt 826 878
By Staff 879

EXHIBITS MARKED: (See Volume I)

1
2 BEFORE THE STATE ENGINEER, STATE OF NEVADA
3 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
4 DIVISION OF WATER RESOURCES

5 -o0o-

6 IN THE MATTER OF HEARING RE
7 APPLICATIONS 53987-53992

VOLUME V

8 RE CAVE VALLEY, DRY LAKE VALLEY,
9 DELAMAR VALLEY HYDROGRAPHIC
10 BASINS, LINCOLN COUNTY, NEVADA

Pages 886 - 1096

11
12 TRANSCRIPT OF PROCEEDINGS
13 PUBLIC HEARING
14 FRIDAY, FEBRUARY 8, 2008

15
16
17
18
19
20
21
22 REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

1 APPEARANCES (Continued)

2 INTERNET VIDEOCONFERENCING
3 PUBLIC COMMENT HOSTS:

4 Public Comment Ely: RICH PERRY,
5 Ely Site Host

6 Public Comment Caliente: JOHN GUILLORY,
7 Caliente Site Host

8 Public Comment Las Vegas: DESI BRANTLEY,
9 Las Vegas Site Host

10 Public Comment Carson City: SUSAN JOSEPH-TAYLOR,
11 Carson City Site Host

12

13

14

15

16

17

18

19

20

21

22

23

24

25

I N D E X

	PUBLIC COMMENT:	PAGE
3	(Videoconferenced from Ely):	
4	RICK SPILSBURY	893
5	DR. TOM SANDERS	895
6	CECIL GARLAN	897
7	HARLAN ARNOLD	900
8	DELAINE STARK SPILSBURY	902
9	HENRY VOGLER	904
10	(Videoconferenced from Caliente):	
11	TERRY JONES	907
12	JAMES L. WADSWORTH	909
13	CATHY LeFEVRE	912
14	DOROTHY WOODWORTH RAY	916
15	ARNELDA ARNOLDUS	918
16	(Videoconferenced from Las Vegas):	
17	DANNY THOMPSON	920
18	ANDY FEGLEY	924
19	LAUNCE RAKE	927
20	HAVIER RIVAS	930
21	MARK BIRD	932
22	GLENN TROWBRIDGE	935
23	(Public Comment Participants from Carson City):	
24	ROSE STRICKLAND	937
25	DAN STEWART	940

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PUBLIC COMMENT:	PAGE
(Public Comment Participants from Carson City Cont'd):	
DENNIS GHIGLIERI	942
MICHAEL GARABEDIAN	946
SUSAN LYNN	954
(Videoconferenced from Ely):	
GARY PEREA	957
DEAN BAKER	959
(Videoconferenced from Caliente):	
MATT WADSWORTH	962
DENNIS SONNENBERG	963
PAT LEBOUTILLIER-JORDAN	966
JAMES LEE	968
LOUIS BENEZET	970
(Videoconferenced from Ely):	
JO ANNE GARRETT	978
(Videoconferenced from Caliente):	
BILL HARTMAN	983
MARJORIE I. DETRAZ	986
(Public Comment Participants from Carson City):	
ABBY JOHNSON	988

I N D E X (Continued)

APPLICANT'S WITNESSES: Direct Cross Redirect Recross

ZANE MARSHALL

By Mr. Van Zandt 993 1077

By Mr. Herskovits 1053 1080

By Staff 1081

EXHIBITS MARKED: (See Volume I)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

-o0o-

IN THE MATTER OF HEARING RE
APPLICATIONS 53987-53992

VOLUME VI

RE CAVE VALLEY, DRY LAKE VALLEY,
DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 1097 - 1309

TRANSCRIPT OF PROCEEDINGS
PUBLIC HEARING
MONDAY, FEBRUARY 11, 2008

REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

I N D E X

ADVOCATE'S WITNESSES: Direct Cross Redirect Recross

TIMOTHY DURBIN

By Mr. Herskovits 1110 1161

By Mr. Taggart 1133

By Staff 1168

THOMAS MYERS

By Mr. Herskovits 1176

By Mr. Taggart 1265

By Staff

ORIGINAL

1
2 BEFORE THE STATE ENGINEER, STATE OF NEVADA
3 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
4 DIVISION OF WATER RESOURCES

5 -o0o-

6 IN THE MATTER OF HEARING RE
7 APPLICATIONS 53987-53992

VOLUME VII

8 RE CAVE VALLEY, DRY LAKE VALLEY,
9 DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 1310 - 1532

10
11
12 TRANSCRIPT OF PROCEEDINGS
13 PUBLIC HEARING
14 TUESDAY, FEBRUARY 12, 2008
15
16
17
18
19
20
21

22 REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

I N D E X

ADVOCATE'S WITNESSES: Direct Cross Redirect Recross

THOMAS MYERS

By Mr. Herskovits 1176 1367

By Mr. Taggart 1265,1314 1372

By Staff 1372

JOHN BREDEHOEFT

By Mr. Herskovits 1391

By Mr. Van Zandt 1431

By Staff 1469

LAURIE CARSON

By Mr. Herskovits 1478

KAREN RAJALA

By Mr. Herskovits 1487 1510

By Mr. Van Zandt 1504

By Staff 1510

DEBRA WHIPPLE

By Mr. Herskovits 1511

NORRIS HENDRIX

By Mr. Herskovits 1517

STEVE CARTER

By Mr. Herskovits 1520

EXHIBITS MARKED:

(See Volume I)

1
2 BEFORE THE STATE ENGINEER, STATE OF NEVADA
3 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
4 DIVISION OF WATER RESOURCES

5 -oOo-

6 IN THE MATTER OF HEARING RE
7 APPLICATIONS 53987-53992

VOLUME VIII

8 RE CAVE VALLEY, DRY LAKE VALLEY,
9 DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 1533 - 1738

10
11
12 TRANSCRIPT OF PROCEEDINGS

13 PUBLIC HEARING

14 WEDNESDAY, FEBRUARY 13, 2008

15
16
17
18
19
20
21
22 REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

I N D E X

ADVOCATE'S WITNESSES: Direct Cross Redirect Recross

JAMES DEACON

By Mr. Herskovits 1538 1608

By Mr. Van Zandt 1581

By Staff 1609

DAVID CHARLET

By Mr. Herskovits 1613 1658

By Mr. Van Zandt 1639

By Staff 1660

KENNETH GLOECKNER

Direct Testimony 1662

KENA LYTLE

Direct Testimony 1663

MICK LLOYD

Direct Testimony 1672

JEFF GARDNER

By Mr. Herskovits 1677

ROY HORSLEY

By Mr. Herskovits 1687

RODERICK MCKENZIE

By Mr. Herskovits 1701

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

CAVE VALLEY RANCH'S WITNESSES: Direct Cross Redirect Recross
LONNIE ROY

By Mr. Walch 1718
By Mr. Taggart (voir dire) 1727

EXHIBITS MARKED:

(See Volume I)

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

-oOo-

IN THE MATTER OF HEARING RE
APPLICATIONS 53987-53992

VOLUME IX

RE CAVE VALLEY, DRY LAKE VALLEY,
DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 1739 - 1972

TRANSCRIPT OF PROCEEDINGS
PUBLIC HEARING
THURSDAY, FEBRUARY 14, 2008

REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

I N D E X

CAVE VALLEY RANCH'S WITNESSES: Direct Cross Redirect Recross

LONNIE ROY

By Mr. Walch 1718, 1743
By Mr. Taggart (voir dire) 1727 1756
By Staff 1765

MICHAEL McBEATH

By Mr. Walch 1769 1865
By Mr. Taggart 1823 1871
By Staff 1872

DANA JOHNSON

By Mr. Walch 1885 1913
By Mr. Van Zandt 1898 1915
By Staff 1915

APPLICANT'S REBUTTAL WITNESS: Direct Cross Redirect Recross

DENNIS PESEA

By Mr. Van Zandt 1922 1966
By Mr. Walch (voir dire) 1925 1948
By Staff 1969

EXHIBITS MARKED:

(See Volume I)

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

-o0o-

IN THE MATTER OF HEARING RE
APPLICATIONS 53987-53992

VOLUME X

RE CAVE VALLEY, DRY LAKE VALLEY,
DELAMAR VALLEY HYDROGRAPHIC
BASINS, LINCOLN COUNTY, NEVADA

Pages 1973 - 2067

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING

FRIDAY, FEBRUARY 15, 2008

REPORTED BY:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: CARRIE HEWERDINE, RDR
Nevada CCR #820
410 E. John Street, Ste. A
Carson City, Nevada 89706

I N D E X

CLOSING ARGUMENTS:

PAGE

Advocate's Closing Argument	1978
Cave Valley Ranch's Closing Argument	2011
Applicant's Closing Argument	2032

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25