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SE	'S EXHIBITS	19
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Attorneys for Applicant National Fish & Wildlife Foundation

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION 80700
FILED BY THE NATIONAL FISH &
WILDLIFE FOUNDATION

**INITIAL EVIDENTIARY SUBMITTAL
OF APPLICANT NATIONAL FISH &
WILDLIFE FOUNDATION**

As required by the State Engineer's August 10, 2012, Amended Notice of Hearing, Applicant National Fish and Wildlife Foundation (NFWF) submits its Initial Evidentiary Submittal for the evidentiary hearing on Application No. 80700.

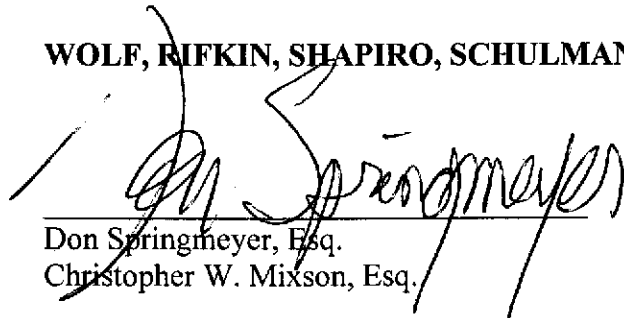
This First Evidentiary Submittal contains NFWF's Exhibit List, Witness List and Exhibits, including outlines of proposed witness testimony, the Walker River Basin Decision Support Tool (DST) modeling files (Exh. 115), and an animation in a digital movie file (Exh. 117, which requires QuickTime 7 software, available for free download). Due to the State Engineer's requirement that NFWF submit the DST modeling files, the file size of NFWF's Initial Evidentiary Submittal exceeds 8 gigabytes, and is therefore delivered to the State Engineer and the actively participating Protestants on USB flash drives. NFWF is also delivering hard copies of all documentary exhibits to the State Engineer.

NFWF hereby states its intention that the following witnesses will be presented for testimony at the evidentiary hearing as a single expert panel: Douglas Boyle, Christopher Garner,

Enrique Triana, Greg Pohll, and Tim Minor. NFWF also intends to call as witnesses David Yardas, Bruce Aylward and Kip Allander.

Dated this 13th day of February, 2013.

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP

A handwritten signature in black ink, appearing to read "Don Springmeyer", is written over a horizontal line. The signature is fluid and cursive.

Don Springmeyer, Esq.
Christopher W. Mixson, Esq.

Attorneys for Applicant National Fish & Wildlife Foundation

CERTIFICATE OF MAILING

I certify that I am an employee of the law office of Wolf, Rifkin, Shapiro, Schulman and Rabkin, LLP, and that on this date I caused to be served by U.S. mail, postage prepaid, a true and correct copy, on USB flash drive, of the foregoing **INITIAL EVIDENTIARY SUBMITTAL OF APPLICANT NATIONAL FISH & WILDLIFE FOUNDATION** on the following persons and/or entities:

Karen Peterson, Esq.
Allison, MacKenzie Law Firm
402 North Division Street
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for Jim Snyder, Eddie R. Snyder, Eufrazia LLC, Spragg-Woodcock Mut. Ditch Co., et al.

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Campbell Canal Co.
c/o Rife and Associates
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Yerington, Nevada 89447

Newhall Mutual Ditch Co.
Darrell E. Pursel, President
42 McKenzie Lane
Yerington, Nevada 89447

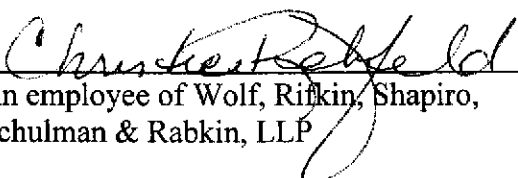
Tunnel Ditch Co.
Louis Scatena, Secretary
984 State Rte. 208
Yerington, Nevada 89447

David Sceirine
P.O. Box 239
Yerington, Nevada 89447

I further certify that the foregoing **INITIAL EVIDENTIARY SUBMITTAL OF APPLICANT NATIONAL FISH & WILDLIFE FOUNDATION** along with digital copies of all Exhibits on USB flash drive were sent by Federal Express overnight, and that 2 hard copies of each of the Exhibit binders was sent by United Parcel Service 2-day shipping, to the Office of the Nevada State Engineer at the following address:

Nevada State Engineer
901 South Stewart St., Suite 2002
Carson City, NV 89701-5250

Dated this 13th day of February, 2013.


An employee of Wolf, Rifkin, Shapiro,
Schulman & Rabkin, LLP

**National Fish & Wildlife Foundation
Application No. 80700, Initial Evidence Exchange**

Exhibit List

<u>Exh.</u>	<u>Title / Description</u>
51	Walker River Decree C-125
52	Amended Walker River Decree C-125
53	Stroud Report and Index re Walker River Decree C-125
54	[intentionally left blank]
55	[intentionally left blank]
56	Table of L&M/Masini Supplemental Groundwater Rights for Conditional Retirement
57	155 Cong. Rec. S8258-59 (daily ed. July 29, 2009) (Sen. Reid statement re Desert Terminal Lakes, particularly Walker River Basin Restoration Program)
58	NFWF, Walker Basin Restoration Program, Legal Authorities
59	2011 NFWF Walker Basin Restoration Program Progress Report
60	USBWC Rules & Regulations (1953)
61	USBWC Rules & Regulations (1996)
62	[intentionally left blank]
63	Douglas Boyle, Ph.D., <i>Curriculum Vitae</i>
64	Outline of Testimony (Boyle)
65	Timothy Minor, Ph.D., <i>Curriculum Vitae</i>
66	Outline of Testimony (Minor)
67	Gregory Pohll, Ph.D., <i>Curriculum Vitae</i>
68	Outline of Testimony (Pohll)
69	Christopher Garner, <i>Curriculum Vitae</i>
70	Outline of Testimony (Garner)
71	Enrique Triana, Ph.D., <i>Curriculum Vitae</i>
72	Outline of Testimony (Triana)
73	David Yardas (NFWF), <i>Resume</i>
74	Outline of Testimony (Yardas)

Exh.	Title / Description
75	Kip Allander (USGS), <i>Curriculum Vitae</i>
76	Outline of Testimony (Allander)
77	Bruce Aylward, Ph.D., <i>Curriculum Vitae</i>
78	Outline of Testimony (Aylward)
79	[intentionally left blank]
80	[intentionally left blank]
81	[intentionally left blank]
82	Report of Findings: Actions That May Increase Flows Into Walker Lake (Walker Basin Advisory Committee)
83	Walker River Basin Irrigation Diversions: Summary of Historic Surface Water Irrigation Diversions (Nev. Div. Water Planning (Pahl))
84	Walker Basin Chronology (Nev. Div. Water Planning (Horton))
85	Water Budgets of the Walker River Basin and Walker Lake, USGS SIR 2009-5157 (Lopes & Allander)
86	Restoration of a Desert Lake in an Agriculturally Dominated Watershed: The Walker Lake Basin, Walker Basin Project (Collopy & Thomas)
87	ET Mapping of Agricultural Valleys in the Walker River Basin, 2009–2010, Nev. Div. Nat. Resources & DRI (Sullivan, Morton, Gilbertson)
88	An Assessment of Diversions and Water Rights: Smith and Mason Valleys, NV (Meyers)
89	The Walker Basin, Nevada and California: Physical Environment, Hydrology & Biology, DRI Pub. No. 41231 (Sharpe, Cablk, Thomas)
90	Walker River Basin Assessment (US Fish & Wildlife Service) (excerpts)
91	Walker Lake Fishery Improvement Program: Final Report (Nev. Dept. of Wildlife)
92	A Comparison of Reconstructed Lake-Level Records Since the Mid-1800s of Some Great Basin Lakes (Milne)
93	Nevada State Engineer Orders Designating Walker River Groundwater Basins: Order 245 (Smith Valley), Order 627 (Mason Valley), Order 691 (Mason Valley), Order 714 (Antelope Valley), Order 823 (Whisky Flat/Hawthorne Subarea)
94	Issues and Opportunities for Acquiring Water from Willing Sellers to Increase Walker Lake Inflows, Great Basin Land & Water (Yardas)
95	Lahontan Cutthroat Trout Species Recovery Plan
96	[intentionally left blank]

Exh.	Title / Description
97	L&M Deed of Sale (to NFWF)
98	WRID/NFWF Assessment Agreement (L&M/Masini)
99	WRID/NFWF Deed of Trust (L&M/Masini)
100	L&M/NFWF Quitclaim re Groundwater Rights
101	L&M/NFWF Reports of Conveyance: 28102 (Claim 35); 28103 (Claim 44); 28107 (Claim 23); 28108 (Claim 89); 28109 (Claim 23A); 28112 (Claim 23A); 28113 (Claim 67); Permits 58752-53, 58755-59, 65262-65, 68299, 68401, 71553, and 68003
102	WRID Water Card Nos. 28124, 28125, 28127, 28129, 28131, 28133, 28135
103	[intentionally left blank]
104	NDOW Land Transfer Conveyance Agreement
105	NDOW Land Transfer Deed
106	NDOW Land Transfer Conveyance Agreement
107	Aguiar-Sciarani WRID Assessment Agreement
108	Revegetation Plan: South Aguiar, Joggles and Weir (Mason Valley Cons. Dist.)
109	Water Group Meetings: Agendas, Notes, Presentations
110	NFWF-Mono County, CA, Memorandum of Understanding
111	Walker River Paiute Tribe-NFWF Memorandum of Understanding re Conveyance Framework
112	WRID Water Use Records (L&M Family Trust and Masini Investments)
113	West Hyland Ditch, Daily Decree Water Rights Diversions (1996-2006)
114	[intentionally left blank]
115	Walker River Basin Decision Support Tool & User Guide (no hard copy)
116	Walker River Decision Support Tool (version 2.0): Application and Analysis of National Fish & Wildlife Foundation Application No. 80700
117	Animation, Groundwater Response in App. No. 80700 DST Scenario, Cross Section Near App. No. 80700 Parcels (no hard copy; requires QuickTime 7 to watch)
118	UNR/DRI Decision Support Tool, GIS and Water Rights Data (Powerpoint slides)
119	UNR/DRI Decision Support Tool, Groundwater Modeling (Powerpoint slides)
120	UNR/DRI Decision Support Tool (v2.0) (Powerpoint slides)
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<u>Exh.</u>	<u>Title / Description</u>
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<u>Exh.</u>	<u>Title / Description</u>
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**National Fish & Wildlife Foundation
Application No. 80700, Initial Evidence Exchange**

Witness List

Douglas Boyle, Ph.D.

Timothy Minor, Ph.D.

Gregory Pohll, Ph.D.

Christopher Garner

Enrique Triana, Ph.D.

David Yargas

Kip Allander (USGS)

Bruce Aylward, Ph.D.



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RN0003-020

February 13, 2013

Jason King
Nevada State Engineer
901 S. Stewart Street, Ste. 2002
Carson City, NV 89701

RECEIVED
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STATE ENGINEERS OFFICE

Re: Application 80700 – Applicant NFWF Initial Evidence Exchange

Dear Mr. King:

Enclosed, on behalf of the National Fish & Wildlife Foundation , please find an original and one (1) copy of the National Fish & Wildlife Foundation’s Initial Evidentiary Submittal for the evidentiary hearing on Application No. 80700. This First Evidentiary Submittal contains NFWF’s Exhibit List, Witness List and Exhibits. Pursuant to your August 10, 2012, Amended Notice of Hearing, NFWF has prepared and provides binders containing 2 copies of each of its documentary evidence using the exhibit numbers assigned to NFWF in that Order. The same exhibits in pdf format, and Microsoft Word versions of NFWF’s Exhibit List, Witness List and outlines of expert witness testimony, are included on the accompanying USB flash drive.

Please file the above-referenced evidence submission, conform the enclosed copy and return to our office in the enclosed self-addressed stamped envelope.

We appreciate your assistance in this matter; should you have any questions, please contact the undersigned directly at (702) 341-5200, ext. 105.

Very truly yours,

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP


Christie Rehfeld, Legal Assistant
to DON SPRINGMEYER

DS:cr
Enclosures as stated