

1 STATE OF NEVADA  
2 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
3 DIVISION OF WATER RESOURCES  
4 BEFORE JASON KING, STATE ENGINEER  
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8 IN THE MATTER OF CHANGE  
9 APPLICATION NO. 80700 FILED  
10 BY THE NATIONAL FISH AND  
11 WILDLIFE FOUNDATION

RECEIVED  
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STATE ENGINEERS OFFICE

12 **SECOND LIST OF WITNESSES AND EXHIBITS OF**  
13 **UNITED STATES BOARD OF WATER COMMISSIONERS**

14 The UNITED STATES BOARD OF WATER COMMISSIONERS FOR THE  
15 WALKER RIVER ("Board"), by and through its attorneys, ALLISON, MacKENZIE, PAVLAKIS,  
16 WRIGHT & FAGAN, LTD., in accordance with the State Engineer's Amended Notice of Hearing  
17 dated August 10, 2012 and Third Amended Notice of Hearing dated May 9, 2013, provides its  
18 second list of witnesses and exhibits.

19 **A. List of Additional Hearing Witnesses:**

20 1. The Board may call any or all of the witnesses listed in its initial list of  
21 witnesses served on February 14, 2013 as rebuttal witnesses.

22 2. Edward J. Moreda (or other representative of the  
23 West Hyland Ditch group)  
165 North Highway 95A  
Yerington, NV 89447

24 Mr. Moreda is the director of the West Hyland Ditch group. Mr. Moreda, or  
25 other representative of the West Hyland Ditch group, will testify in response to the NFWF exhibits  
26 regarding impacts from the non-diversion of water to the West Hyland Ditch as proposed in  
27 Application 80700.  
28

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SE	'S EXHIBITS	32
DATE:		

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1                   B.     List of Additional Exhibits:

2                   The Board may utilize any or all of exhibits listed in its initial list of exhibits  
3 served on February 14, 2013 for rebuttal purposes.

4                   1060. U.S. District Court Order For Temporary/Modification of Decree filed  
5 March 23, 2004 (Document 650) in the C-125 case. Bates stamped USBWC 152 – USBWC 154.

6                   1061. U.S. District Court Minutes of Court filed April 9, 2004 (Document  
7 675) and Minutes of Court filed April 14, 2004 (Document 678) in the C-125 case. Bates stamped  
8 USBWC 155 – USBWC 157.

9                   1062. U.S. District Court Order filed August 22, 2007 (Document 883) in the  
10 C-125 case. Bates stamped USBWC 158 – USBWC 159.

11                   1063. U.S. District Court Order filed July 24, 2008 (Document 927) in the C-  
12 125 case. Bates stamped USBWC 160 – USBWC 161.

13                   1064. U.S. District Court Order filed July 6, 2009 (Document 963) in the C-  
14 125 case. Bates stamped USBWC 162 – USBWC 163.

15                   1065. U.S. District Court Order filed June 17, 2010 (Document 1003) in the  
16 C-125 case. Bates stamped USBWC 164 – USBWC 165.

17                   1066. Map – Mason and Smith Valleys 2012. Bates stamped USBWC 166.  
18 Two 22-1/2” x 34-1/2” folded hard copies of this map were provided to the State Engineer.

19                   1067. USGS Map – Selected Features of the Walker River Basin, California  
20 and Nevada 2003. Bates stamped USBWC 167. Two 11” x 17” folded hard copies of this map were  
21 provided to the State Engineer. Please note this is the same map as Exhibit 163 submitted by WRID,  
22 Lyon County and Bowman Protestants.

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1068. Map – West Hyland HRU C-125 Claims and Change Application  
80700; Claim No. and Owners. Bates stamped USBWC 168 – USBWC 169.

DATED this 6<sup>th</sup> day of June, 2013.

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By:   
KAREN A. PETERSON, ESQ.

Attorneys for UNITED STATES BOARD OF  
WATER COMMISSIONERS FOR THE  
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**CERTIFICATE OF SERVICE**

Pursuant to NRCP Rule 5(b), I hereby certify that I am an employee of ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD., Attorneys at Law, and that on this date I caused the foregoing document to be served to all parties to this action by the following methods:

✓ Via Hand-delivery on *June 7, 2013* [NRCP 5(b)(2)(A)]

**Susan Joseph-Taylor, P.E., Hearings Officer  
Division of Water Resources  
901 South Stewart Street, Suite 2002  
Carson City, NV 89701-5250**

✓ Federal Express, UPS, or other overnight delivery *on June 6, 2013*

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Office of the Solicitor  
1849 C St., NW, MS 6513 MIB  
Washington, DC 20240**

✓ Placing a true copy thereof in a sealed postage prepaid envelope, first class mail, in the United States Mail in Carson City, Nevada *on June 6, 2013* [NRCP 5(b)(2)(B)]

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DATED this 6<sup>th</sup> day of June, 2013.

  
NANCY FONTENOT