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STATE ENGINEERS OFFICE

*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

**AUGUST 9, 2013 STATUS REPORT**

As required by the July 31, 2013 Fourth Amended Notice of Hearing, the Applicant National Fish & Wildlife Foundation (NFWF) hereby files this Status Report regarding activity since the July 8, 2013 Hearing between NFWF and the remaining parties to resolve the still pending protests of, or comments regarding, Application No. 80700.

**1) Protestant Walker River Paiute Tribe (WRPT) and Protestant United States Bureau of Indian Affairs (BIA)**

NFWF and the WRPT and the BIA met in person on two occasions and members of their technical teams have conferred by telephone on multiple occasions. Counsel for these parties have consulted and all agree to present the following statement in this Status Report:

Applicant National Fish & Wildlife Foundation, and protestants the Bureau of Indian Affairs, and the Walker River Paiute Tribe believe they have reached agreement in principle on the terms which would resolve these protestants' protests to Application 80700. The parties are working on final documents and anticipate delivering final, signed documents resolving the protests either in the September 13, 2013, status report or the October 11, 2013, status report.

**2) Protestants Peter Fenili, Richard Nuti and Gary Garms, et al (collectively the Bowman Protestants)**

NFWF met in person with representatives of the Bowman Protestants following the July 8 Hearing. Counsel for NFWF and the Bowman Protestants have met and also conferred by telephone on several occasions. The parties continue to discuss steps that should result in the resolution of the Bowman Protestants' protests; NFWF will report further on or before the next required Status Report date.

**3) Interested Party The United States Board of Water Commissioners**

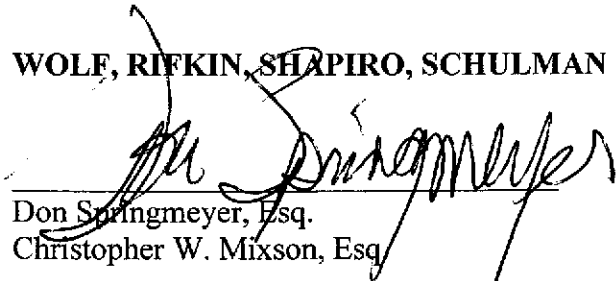
Representatives of NFWF met with the Chief Deputy Water Commissioner of the United States Board of Water Commissioners, along with their counsel Karen Peterson, after the July 8 Hearing. Representatives of both parties have also conferred by telephone and exchanged email.

NFWF expects to engage in additional meetings and discussions with the representatives of the USBWC regarding the implementation of the change called for in the application, and other matters that the Chief Deputy Water Commissioner may wish to bring to the attention of the State Engineer. NFWF will report further to the Hearing Officer on or before the next scheduled Status Report update.

NFWF believes that resolution of all protest issues can be achieved before the rescheduled hearing date on October 28.

Dated August 8, 2013.

**WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP**



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 express delivery, a true and correct copy, of the foregoing **AUGUST 9, 2013 STATUS REPORT** on the following persons and/or entities:

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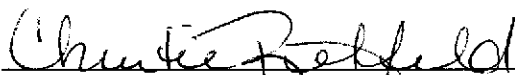
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Dated this 8th day of August, 2013.

  
An employee of Wolf, Rifkin, Shapiro,  
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