

ADVOCATES FOR COMMUNITY AND ENVIRONMENT
Empowering Local Communities to Protect the Environment and their Traditional Ways of Life
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July 15, 2008

BY HAND

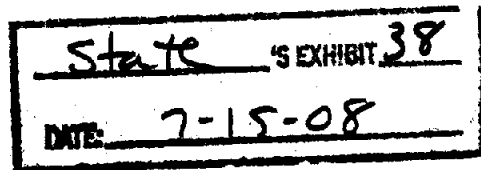
Tracy Taylor, P.E.
State Engineer
Nevada Division of Water Resources
901 South Stewart Street, Suite 2002
Carson City, Nevada 89701

**Re: Hearing on Southern Nevada Water Authority Snake Valley Applications
(Application Nos. 54022 – 54030)**

Dear Mr. Taylor,

The undersigned counsel hereby respectfully enters an appearance in the above-referenced hearing on behalf of the protestants listed below ("Protestants").

Marilyn J. Ambrose
Baker Advisory Board
Baker Ranches, Inc.
Thomas A. Bath
Charles D. Berger
Reita Berger
Border Inn
William R. Coffman
County of White Pine
Don Duff
Garrett Family Trust
Carolyn Garrett
Jo Anne Garrett
Owen L. Gonder
Clay Iverson
James R. Jordan
Marie L. Jordan
Nevada Cattlemen's Association Eastern Unit
Nevada Farm Bureau Federation
New Age Gardeners
Tracy Lee Pelk
Margaret Pense
Robert B. & Gayle Robison



William R. & Katherine A. Rountree
Gerald Sand
Patsy Schlabsz
School of Natural Order
Thomas E. Sims
Snake Valley Senior Citizen Center
Snake Valley Volunteer Fire Department
Betty L. Steadman
Terrance P. and Debra J. Steadman
Dean C. Stubbs
John G. Tyron
Darwin and Kay Wheeler
Darlene S. Whitlock

In addition, on behalf of the Protestants, this letter responds in part to the Southern Nevada Water Authority's ("SNWA's) request that the hearing be held as soon as possible.

Recognizing your broad discretion in this matter, the Protestants respectfully urge you to schedule the substantive, evidentiary portion of the Snake Valley hearing for a date not sooner than November of 2009, in order to allow them an adequate time to prepare their protest case and to allow for the end of the irrigation and harvesting seasons. SNWA's Snake Valley applications raise a host of complex scientific, economic, and legal issues that the Protestants must address to ensure that the State Engineer has a thorough, balanced evidentiary record on which to base his ruling on those applications. The Protestants are working with very limited resources and time to prepare and present a thorough evidentiary response to a case that SNWA has had overwhelming resources (drawn from annual multi-billion dollar budgets) and the better part of two decades to prepare. As a practical matter, the Protestants have had only a few months before each block of SNWA's applications to focus their extremely limited resources on the preparation of a protest case for that particular set of applications.

The Protestants also respectfully suggest that there is no need to rush this hearing. SNWA cannot implement its groundwater export project until after the rest of the required government review processes are completed, which will take at least two-to-three years to complete, and which do not depend on the resolution of this hearing. Further, the sharp and continuing decline in residential and commercial development within SNWA's service area has eliminated the purportedly urgent need for this project to accommodate continuing rapid growth.

Given the fact that SNWA will not be able to implement its project for a number of years, and the sharply disadvantaged position of the Protestants with regard to preparation for the hearing, the Protestants respectfully suggest that it would be more equitable to schedule the Snake Valley hearing in autumn of 2009. The addition of a few additional months for the Protestants to prepare their case would make an enormous difference to the Protestants' ability to adequately develop and present a thorough body of evidence for the State Engineer's consideration. In contrast, such a minor delay in the scheduling of this hearing would make no practical difference to SNWA's timetable for construction and operation of the project.

Accordingly, the Protestants respectfully request that you schedule the evidentiary portion of the Snake Valley Hearing for a date not sooner than November 2009.

The Protestants will address other procedural matters and SNWA's request that certain issues be considered ruled on and foreclosed from the introduction of further evidence at the procedural phase of the hearing today and in writing thereafter, as appropriate.

Sincerely,

A handwritten signature in black ink, appearing to be 'Simeon Herskovits', written in a cursive style.

Simeon Herskovits
Advocates for Community and Environment

Attorneys for Protestants

cc: All Active Parties from 5-28-08 Notice of Hearing Service List