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ADAM O. SPEAR
FREDRICK "RICK" J. PERDOMO

October 20, 2010

VIA HAND DELIVERY

Jason King, P.E.
State Engineer
Division of Water Resources
901 South Stewart Street, 2nd Floor
Carson City, Nevada 89701

Re: Deadline for SNWA Response to Motion for Declaratory Order on Scope and Implementation of Remedy Ordered by Supreme Court

Dear Mr. King:

Simeon Herskovits of Advocates for Community and Environment has submitted a "Motion for Declaratory Order on Scope and Implementation of Remedy Ordered by Supreme Court" in connection with the Nevada Supreme Court's decision in *Great Basin Water Network v. Taylor*. That document was filed with the State Engineer and mailed to counsel of record on October 14, 2010.

It was improper for this request to be made as a motion since a declaration regarding a court decision is not "a matter subject to a protest hearing." Section 2(1), LCB File No. R129-08, available at http://water.nv.gov/home/pdfs/r129-08_adopted.pdf (emphasis added). Therefore, the Nevada Administrative Code regulations concerning protest hearings are inapplicable and a simple letter would have instead been the appropriate format for Mr. Herskovits to make this request.

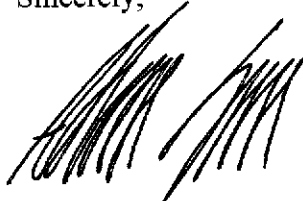
At the same time, the request itself was also improper and SNWA would like to respond. When a motion is made in connection with a protest hearing, the party against whom the motion is made has 10 days after service to file a response. Section 8(7), LCB File No. R129-08. As explained above, this is not a motion subject to the regulations concerning protest hearings so the 10 day rule does not apply and it appears that there is no deadline for SNWA to respond.

Therefore, in order to have a clear deadline for its response, SNWA asks that it be allowed until Friday, November 5, 2010 to respond. Please confirm that deadline and SNWA will comply.

*Jason King, P.E.
State Engineer
Division of Water Resources
October 20, 2010
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Should you have any questions, please contact my office. Thank you for your consideration in this matter.

Sincerely,

 on behalf of
PAUL G. TAGGART, ESQ.

PGT/AOS/tm

*cc: Simeon M. Herskovits
Bryan Stockton
Michael J. Van Zandt*