

1 IN THE OFFICE OF THE STATE ENGINEER

2 STATE OF NEVADA

3 \* \* \*

4 IN THE MATTER OF APPLICATIONS 53987 )  
5 THROUGH 53992 AND 54003 THROUGH )  
6 54021 FILED BY THE SOUTHERN NEVADA )  
7 WATER AUTHORITY TO APPROPRIATE )  
8 GROUNDWATER IN SPRING VALLEY, CAVE )  
9 VALLEY, DRY LAKE VALLEY, AND )  
10 DELAMAR VALLEY )

GBWN ET AL.'S AUGUST 26,  
2011 EVIDENTIARY  
EXCHANGE AND WITNESS  
LIST

11 Protestants Great Basin Water Network (with whom 251 individuals and entities join),  
12 2nd Big Springs Irrigation Company, Keith Anderson, Craig Baker, Dean Baker, Thomas Baker,  
13 Baker GID, Baker Ranches, James & Donna Bath, Bath Lumber Company, Govert Bassett,  
14 Walter Benoit, Border Inn, Carter-Griffin, Inc. Max & Diane Chipman, Citizens Education  
15 Project, Louis Cole, Defenders of Wildlife, Kristine Fillman, Patrick Fillman, Gardner's Quarter  
16 Circle 5 Ranch, Jo Anne Garrett, Kena Gloeckner, Patrick Gloeckner, Great Basin Business &  
17 Tourism Council, Kathy Hiatt, County of Inyo, Abigail Johnson, Linda Johnson, League of  
18 Women Voters of Salt Lake City, Robert Lewis, Lund Irrigation & Water Company, Orvan  
19 Maynard, Roderick McKenzie, Nevada Farm Bureau, Panaca Irrigation Company, Gary & Jo  
20 Ann Perea, Preston Irrigation Company, Launce Rake, William & Kathy Rountree, Toiyabe  
21 Chapter Sierra Club, Amelia Sonnenberg, Sportsworld, Terrance & Debra Steadman, Utah  
22 Audubon Council, Mildred Valencia, David Von Seggren, Mark Wadsworth, Lois Weaver,  
23 County of White Pine and City of Ely, Debra Whipple (collectively "Protestants"), by and  
24 through their attorney, Simeon Herskovits, of Advocates for Community and Environment,  
25 hereby submit their rebuttal exhibit list, rebuttal witness list with summaries of witness  
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1 testimony, and copies of documentary evidence intended to be introduced into the hearing  
2 record.

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4 **Rebuttal Witness List and Summary of Witness Testimony:**

- 5 1. Tom Myers, Ph.D. In addition to the potential testimony described in GBWN's initial  
6 July 1, submission, Dr. Myers may testify in rebuttal to SNWA's evidence and  
7 testimony concerning potential impacts to the hydrology of Spring, Cave, Dry Lake,  
8 and Delamar Valleys and surrounding valleys. Rebuttal to SNWA Witness nos. 5, 8,  
9 9, 10, 11, 12, 15, 17, 22, 23, 25, & 26. See CV at GBWN\_Exh\_006.
- 10 2. John D. Bredehoeft, Ph.D. In addition to the potential testimony described in  
11 GBWN's initial July 1, submission, Dr. Bredehoeft may testify in rebuttal to  
12 SNWA's evidence and testimony concerning potential impacts to the hydrology of  
13 Spring, Cave, Dry Lake, and Delamar Valleys and surrounding valleys. Rebuttal to  
14 SNWA Witness nos. 5, 8, 9, 10, 11, 12, 15, 17, 22, 23, 25 & 26. See CV at  
15 GBWN\_Exh\_010.
- 16 3. James Everett Deacon, Ph.D. In addition to the potential testimony described in  
17 GBWN's initial July 1, submission, Dr. Deacon may testify in rebuttal to SNWA's  
18 evidence and testimony concerning potential impacts to the aquatic and terrestrial  
19 biota and ecology of Spring, Cave, Dry Lake, and Delamar Valleys and surrounding  
20 valleys. Rebuttal to SNWA Witness Nos. 11, 15, 17 & 18. See CV at  
21 GBWN\_Exh\_015.
- 22 4. Duncan Patten, Ph.D. In addition to the potential testimony described in GBWN's  
23 initial July 1, submission, Dr. Patten may testify in rebuttal to SNWA's evidence and  
24 testimony concerning potential impacts to the terrestrial ecology of Spring, Cave, Dry  
25 Lake, and Delamar Valleys and surrounding valleys, with particular emphasis on the  
26 flora of those valleys. Rebuttal to SNWA Witness Nos. 18 & 19. See CV at  
27 GBWN\_Exh\_058.
- 28 5. Maureen Kilkenny, Ph.D. In addition to the potential testimony described in  
GBWN's initial July 1, submission, Dr. Kilkenny may testify in rebuttal to SNWA's  
evidence and testimony concerning potential impacts to the rural economies of  
Spring, Cave, Dry Lake, and Delamar Valleys and surrounding valleys. Rebuttal to  
SNWA Witness Nos. 7, 13, 15 & 21. See CV at GBWN\_Exh\_067.
6. Peter Gleick, Ph.D. or Heather Cooley, M.S. In addition to the potential testimony  
described in GBWN's initial July 1, submission, Dr. Glick or Ms. Cooley may testify  
in rebuttal to SNWA's evidence and testimony concerning water use efficiency and  
conservation in SNWA's service area and the need for SNWA's groundwater  
development and pipeline. Rebuttal to SNWA Witness Nos. 2, 4 & 11. See Gleick  
CV at GBWN\_Exh\_070; Cooley CV at GBWN\_Exh\_071.
7. Sharlene Leurig, Ceres, Ms. Leurig may testify in rebuttal to SNWA's evidence and  
testimony concerning the financing of the proposed groundwater development and  
pipeline project. INSERT DESCRIPTION OF TESTIMONY. Rebuttal to SNWA  
Witness nos. 1, 3, 4, 11, 14, 15 & 20. See CV at GBWN\_Exh\_116.

- 1 8. Bob Harrington, Ph.D., Inyo County, California. Mr. Harrington may testify in  
2 rebuttal to SNWA's evidence and testimony concerning monitoring and mitigation.  
3 Rebuttal to SNWA witness nos. 4, 11, 15, 17, 18, 22, & 26. See CV at  
4 GBWN\_Exh\_121.
- 5 9. Rebecca Mills, Coalition of National Park Service Retirees, former Superintendent of  
6 Great Basin National Park. In addition to the potential testimony described in  
7 GBWN's initial July 1, submission, Ms. Mills may testify in rebuttal to SNWA's  
8 evidence and testimony concerning potential impacts to Great Basin National Park,  
9 existing water rights, the environment, and the public interest. Rebuttal to SNWA  
10 witness nos. 1, 4 - 13, 15-26.
- 11 10. Gary Perea or another White Pine County Commissioner. In addition to the potential  
12 testimony described in GBWN's initial July 1, submission, Mr. Perea may testify in  
13 rebuttal to SNWA's evidence and testimony concerning potential impacts to existing  
14 water rights, the environment, the economy, and the public interest. Rebuttal to  
15 SNWA witness nos. 1, 4 - 13, 15-26.
- 16 11. Jim Garza, White Pine County Economic Diversification Council. In addition to the  
17 potential testimony described in GBWN's initial July 1, submission, Mr. Garza may  
18 testify in rebuttal to SNWA's evidence and testimony concerning potential impacts to  
19 the economy of the target basins, White Pine County, and the public interest.  
20 Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 21 12. Tom Baker or another member of the Baker family. In addition to the potential  
22 testimony described in GBWN's initial July 1, submission, Mr. Baker or another  
23 member of the Baker family may testify in rebuttal to SNWA's evidence and  
24 testimony concerning potential impacts to existing water rights, the environment, the  
25 economy, and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 26 13. Dean Baker. In addition to the potential testimony described in GBWN's initial July  
27 1, submission, Mr. Baker may testify in rebuttal to SNWA's evidence and testimony  
28 concerning potential impacts to existing water rights, the environment, the economy,  
and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
14. Kathy Rountree or Bill Rountree. In addition to the potential testimony described in  
GBWN's initial July 1, submission, Mr. or Mrs. Rountree may testify in rebuttal to  
SNWA's evidence and testimony concerning potential impacts to existing water  
rights, the environment, the economy, and the public interest. Rebuttal to SNWA  
witness nos. 1, 4 - 13, 15-26.
15. Brent Eldridge or another member of the Eldridge family. In addition to the potential  
testimony described in GBWN's initial July 1, submission, Mr. Eldridge or another  
member of the Eldridge family may testify in rebuttal to SNWA's evidence and  
testimony concerning potential impacts to existing water rights, the environment, the  
economy, and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
16. Mildred Valencia, daughter of and heir to water rights owned by Irvin Baker  
Edwards, a 1990 protestant. In addition to the potential testimony described in  
GBWN's initial July 1, submission, Ms. Valencia may testify in rebuttal to SNWA's  
evidence and testimony concerning potential impacts to existing water rights, the  
environment, the economy, and the public interest. Rebuttal to SNWA witness nos.  
1, 4 - 13, 15-26.

- 1 17. Van Jeff Gardner. In addition to the potential testimony described in GBWN's initial  
2 July 1, submission, Mr. Gardner may testify in rebuttal to SNWA's evidence and  
3 testimony concerning potential impacts to existing water rights, the environment, the  
4 economy, and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 5 18. Roderick McKenzie, Lund Irrigation Company. In addition to the potential testimony  
6 described in GBWN's initial July 1, submission, Mr. McKenzie may testify in  
7 rebuttal to SNWA's evidence and testimony concerning potential impacts to existing  
8 water rights, the environment, the economy, and the public interest. Rebuttal to  
9 SNWA witness nos. 1, 4 - 13, 15-26.
- 10 19. Steven Carter, Preston Irrigation Company. In addition to the potential testimony  
11 described in GBWN's initial July 1, submission, Mr. Carter may testify in rebuttal to  
12 SNWA's evidence and testimony concerning potential impacts to existing water  
13 rights, the environment, the economy, and the public interest. Rebuttal to SNWA  
14 witness nos. 1, 4 - 13, 15-26.
- 15 20. Bob Lewis. In addition to the potential testimony described in GBWN's initial July  
16 1, submission, Mr. Lewis may testify in rebuttal to SNWA's evidence and testimony  
17 concerning potential impacts to existing water rights, the environment, the economy,  
18 and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 19 21. Debra Whipple or another member of the Whipple family. In addition to the potential  
20 testimony described in GBWN's initial July 1, submission, one of the Whipples may  
21 testify in rebuttal to SNWA's evidence and testimony concerning potential impacts to  
22 existing water rights, the environment, the economy, and the public interest. Rebuttal  
23 to SNWA witness nos. 1, 4 - 13, 15-26.
- 24 22. Orvan Maynard. Mr. Maynard may testify in rebuttal to SNWA's evidence and  
25 testimony concerning potential impacts to existing water rights, the environment, the  
26 economy, and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 27 23. Bruce or Pamela Jensen. Mr. or Mrs. Jensen may testify in rebuttal to SNWA's  
28 evidence and testimony concerning potential impacts to existing water rights, the  
environment, the economy, and the public interest. Rebuttal to SNWA witness nos.  
1, 4 - 13, 15-26.
- 24 24. Jim Poulsen and/or Nancy Browne, Alamo Sewer and Water General Improvement  
District. In addition to the potential testimony described in GBWN's initial July 1,  
submission, Mr. Poulsen and/or Ms. Browne may testify in rebuttal to SNWA's  
evidence and testimony concerning potential impacts to existing water rights, the  
environment, the economy, and the public interest. Rebuttal to SNWA witness nos.  
1, 4 - 13, 15-26.
- 25 25. Kirk Swanson, Ph.D. Dr. Swanson may testify in rebuttal to SNWA's evidence and  
testimony concerning potential impacts to existing water rights and the public  
interest. Rebuttal to SNWA witness nos. 5, 9, 10, 11, 13, 15, 20 - 26.
- 26 26. Varlin Higbee, Ed Higbee, or another member of the Higbee family. A member of  
the Higbee family may testify in rebuttal to SNWA's evidence and testimony  
concerning potential impacts to existing water rights, the environment, the economy,  
and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 27 27. Rocky Hatch. Mr. Hatch may testify in rebuttal to SNWA's evidence and testimony  
concerning potential impacts to existing water rights, the environment, the economy,  
and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.

- 1 28. Bret Whipple. Mr. Whipple may testify in rebuttal to SNWA's evidence and  
2 testimony concerning potential impacts to existing water rights, the environment, the  
3 economy, and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 4 29. Dennis Sonnenberg or a representative from Panaca Irrigation Company. In addition  
5 to the potential testimony described in GBWN's initial July 1, submission, Mr.  
6 Sonnenberg or a representative from the Panaca Irrigation Company may testify in  
7 rebuttal to SNWA's evidence and testimony concerning potential impacts to existing  
8 water rights, the environment, the economy, and the public interest. Rebuttal to  
9 SNWA witness nos. 1, 4 - 13, 15-26.
- 10 30. Mick or Lynn Lloyd. In addition to the potential testimony described in GBWN's  
11 initial July 1, submission, Mr. or Mrs. Lloyd may testify in rebuttal to SNWA's  
12 evidence and testimony concerning potential impacts to existing water rights, the  
13 environment, the economy, and the public interest. Rebuttal to SNWA witness nos.  
14 1, 4 - 13, 15-26.
- 15 31. Kenneth Lytle or another member of the Lytle family. In addition to the potential  
16 testimony described in GBWN's initial July 1, submission, Mr. Lytle or another  
17 member of the Lytle family may testify in rebuttal to SNWA's evidence and  
18 testimony concerning potential impacts to existing water rights, the environment, the  
19 economy, and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 20 32. Kenna or Pat Gloeckner. In addition to the potential testimony described in GBWN's  
21 initial July 1, submission, Mr. or Mrs. Gloeckner may testify in rebuttal to SNWA's  
22 evidence and testimony concerning potential impacts to existing water rights, the  
23 environment, the economy, and the public interest. Rebuttal to SNWA witness nos.  
24 1, 4 - 13, 15-26.
- 25 33. Cory Lytle. Mr. Lytle may testify in rebuttal to SNWA's evidence and testimony  
26 concerning potential impacts to existing water rights, the environment, the economy,  
27 and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
- 28 34. Matt, Mark or John Wadsworth. In addition to the potential testimony described in  
GBWN's initial July 1, submission, one of the Wadsworths may testify in rebuttal to  
SNWA's evidence and testimony concerning potential impacts to existing water  
rights, the environment, the economy, and the public interest. Rebuttal to SNWA  
witness nos. 1, 4 - 13, 15-26.
35. Pete Delmuc. Mr. Delmuc may testify in rebuttal to SNWA's evidence and testimony  
concerning potential impacts to existing water rights, the environment, the economy,  
and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
36. Roy Leach. Mr. Leach may testify in rebuttal to SNWA's evidence and testimony  
concerning potential impacts to existing water rights, the environment, the economy,  
and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
37. A representative of the Nevada Farm Bureau. In addition to the potential testimony  
described in GBWN's initial July 1, submission, a representative of the Nevada Farm  
Bureau may testify in rebuttal to SNWA's evidence and testimony concerning  
potential impacts to existing water rights, the environment, the economy, and the  
public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.
38. A representative of the Nevada Cattlemen's Association. In addition to the potential  
testimony described in GBWN's initial July 1, submission, a representative of the  
Nevada Cattlemen's Association may testify in rebuttal to SNWA's evidence and

1 testimony concerning potential impacts to existing water rights, the environment, the  
2 economy, and the public interest. Rebuttal to SNWA witness nos. 1, 4 - 13, 15-26.

3 Dated: August 25, 2011.  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this AUGUST 26, 2011 REBUTTAL EVIDENTIARY EXCHANGE AND WITNESS LIST, GBWN ET AL'S AUGUST 26, 2011 REBUTTAL EVIDENTIARY EXCHANGE EXHIBIT LIST, and ALL DOCUMENTARY EVIDENCE were served on the following counsel of record by Federal Express, on this 25<sup>th</sup> day of August, 2011.

Dana Walsh Southern Nevada Water Authority 1001 S. Valley View Blvd, MS#485 Las Vegas, Nevada 89153	Nye County George Benesch 190 W. Huffaker Lane, Suite 408 Reno, Nevada 89511-2092
Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints Severin A. Carlson Kaempher Crowell, Renshaw, Gronauer & Fiorentino 50 West Liberty Street, Suite 900 Reno, Nevada 89501	Juab County and Millard County, Utah J. Mark Ward Utah Association of Counties 5397 Vine Street Murray, Utah 84107
EskDale Center Jerald Anderson 1100 Circle Drive EskDale, Utah 84728	U.S. Department of Agriculture Forest Service Jeanne A. Evenden 324 25th Street Ogden, Utah 84401
Henry C. Vogler IV HC 33 Box 33920 Ely, Nevada 89301	Richard W. and Lesley Ann Sears 1963 South 17th East HC 10 Ely, Nevada 89301
Confederated Tribes of the Goshute Reservation, Duckwater Shoshone Tribe and Ely Shoshone Tribe Mark Echohawk and V. Aaron Contreras 505 Pershing Ave., Suite 100 Pocatello, Idaho 83205	Long Now Foundation Laura Welcher Director of Operations Fort Mason Center Building A San Francisco, California 94123

  
Noel Simmons