

**IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA**

**IN THE MATTER OF APPLICATIONS )  
53987 THROUGH 53992, INCLUSIVE )  
AND 54003 THROUGH 54021, INCLUSIVE )  
FILED TO APPROPRIATE THE )  
UNDERGROUND WATERS OF SPRING )  
VALLEY, CAVE VALLEY, DELAMAR )  
VALLEY AND DRY LAKE VALLEY )  
HYDROGRAPHIC BASINS (180, 181, 182 )  
AND 184), LINCOLN COUNTY AND )  
WHITE PINE COUNTY, NEVADA. )**

---

**MOTION TO ASSOCIATE OUT-OF-STATE COUNSEL**

COMES NOW, Protestant Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole ("CPB"), by and through its counsel, Severin A. Carlson, with the law firm of Kaempfer Crowell Renshaw Gronauer & Fiorentino, and Paul J. Hejmanowski with the law firm of Lionel Sawyer & Collins, and hereby moves The Office of the State Engineer for an order permitting Fred G. Nelson, Randy T. Austin, Eric C. Olson, Richard Bruce Findlay, and Justin W. Starr, to practice in Nevada pursuant to Nevada Supreme Court Rule 42. This motion is supported by the following exhibits:

**Exhibit 1:** Verified Application for Association of Counsel, Certificate of Good Standing, and State Bar of Nevada Statement for Fred G. Nelson.

**Exhibit 2:** Verified Application for Association of Counsel, Certificate of Good Standing, and State Bar of Nevada Statement for Randy T. Austin.

**Exhibit 3:** Verified Application for Association of Counsel, Certificate of Good Standing, and State Bar of Nevada Statement for Eric C. Olson.

RECEIVED  
2011 SEP 12 PM 2:52  
STATE ENGINEER'S OFFICE

**Exhibit 4:** Verified Application for Association of Counsel, Certificate of Good Standing, and State Bar of Nevada Statement for Richard Bruce Findlay.

**Exhibit 5:** Verified Application for Association Counsel, Certificate of Good Standing, and State Bar of Nevada Statement for Justin W. Starr.

Respectfully submitted this 12<sup>th</sup> day of September, 2011.

KAEMPFER CROWELL RENSHAW  
GRONAUER & FIORENTINO

BY:



SEVERIN A. CARLSON  
Nevada Bar No. 9373  
50 West Liberty Street, Suite 900  
Reno, Nevada 89501  
Tel.: (775) 852-3900  
Fax: (775) 327-2011

PAUL R. HEJMANOWSKI  
Nevada Bar No. 94  
LIONEL SAWYER & COLLINS  
1700 Bank of America Plaza  
300 S. Fourth Street  
Las Vegas, Nevada 89101  
Tel: (702) 383-8888  
Fax: (775) 383-8845  
*Attorneys for Protestant CPB*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of September, 2011, a true and correct copy of the foregoing MOTION TO ASSOCIATION OUT-OF-STATE COUNSEL was served on the following counsel of record by depositing the same for mailing, at Reno, Nevada, with the United States Postal Service, postage prepaid, addressed to the following:

DANA R. WALSH  
Southern Nevada Water Authority  
P.O. Box 99956 Mail Stop 485  
Las Vegas, Nevada 89153

SIMEON HERSKOVITS  
Advocates for Community & Environment  
P.O. Box 1075  
El Prado, NM 87529

PAUL G. TAGGART  
Taggart & Taggart, Ltd  
108 North Minnesota Street  
Carson City, Nevada 89703

J. MARK WARD  
Utah Association of Counties  
5397 Vine Street  
Murray, Utah 84107

GEORGE N. BENESCH  
190 W. Huffaker Lane, Suite 408  
Reno, Nevada 89511-2092

LAURA WELCHER  
Director of Operations  
Long Now Foundation  
Fort Mason Center, Building A  
San Francisco, California 94123

RICHARD W. SEARS  
1963 South 17<sup>th</sup> East HC 10  
Ely, Nevada 89301

PAUL ECHOHAWK, ESQ.  
505 Pershing Avenue  
P.O. Box 6119  
Pocatello, Idaho 83205

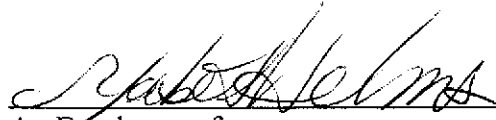
HENRY C. VOGLER IV  
HC 33 Box 33920  
Ely, Nevada 80301

ESKDALE CENTER  
Jerald Anderson  
1100 Circle Drive  
EskDale, UT 84728

AARON WAITE, ESQ.  
The Cooper Castle Law Firm, LLC  
5275 South Durango Drive  
Las Vegas, NV 89113

U.S. Department of Agriculture  
U.S. Forest Service  
Attn: Jeanne A. Evenden  
324 25<sup>th</sup> Street  
Ogden, UT 84401

JOHN RHODES  
160 North Main  
Nephi, Utah 84648

  
An Employee of  
Kaempfer Crowell Renshaw Gronauer & Fiorentino

# **EXHIBIT 1**

VAPP

IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATIONS )  
53987 THROUGH 53992, INCLUSIVE )  
AND 54003 THROUGH 54021, INCLUSIVE )  
FILED TO APPROPRIATE THE )  
UNDERGROUND WATERS OF SPRING )  
VALLEY, CAVE VALLEY, DELAMAR )  
VALLEY AND DRY LAKE VALLEY )  
HYDROGRAPHIC BASINS (180, 181, 182 )  
AND 184), LINCOLN COUNTY AND )  
WHITE PINE COUNTY, NEVADA. )  
\_\_\_\_\_ )

VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42

Fred G Nelson, Petitioner, respectfully represents:  
First Middle Name Last

1. Petitioner resides at 1344 N Deerfield Drive  
Street Address

Centerville, Davis, Utah, 84014  
City County State Zip Code

(801 ) 295-3608  
Telephone

2. Petitioner is an attorney at law and a member of the law firm of: Sole Practitioner

with offices at 50 E North Temple (pro bono work for CPB)  
Street Address

Salt Lake City, Salt Lake, Utah, 84150  
City County State Zip Code

(801 ) 240-2612, fred.nelson@ldschurch.org  
Telephone Email

3. Petitioner has been requested by The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah corporation sole, to provide legal representation in connection with the above-entitled matter now pending before the above referenced state agency.

4. Since September of 1974, petitioner has been, and presently is, a member of good

standing of the bar of the highest court of the State of Utah where petitioner regularly practices law.

5. Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the bars of said Courts:

<u>ADMITTED</u>	<u>DATE</u>
United States District Court, Utah (inactive status)	1974
United States Court of Military Appeals	1974
United States Cir. Ct. of Appeals, 10th Cir.	1977
United States Cir. Ct. of Appeals, 9th Cir.,	1985
United States Cir. Ct. of Appeals, D.C. Cir	1999
United States Supreme Court	1977

6. Petitioner is not currently suspended or disbarred in any court except as hereinafter provided

(Give particulars; e.g., Court, jurisdiction, date): n/a

7. Petitioner is not currently subject to any disciplinary proceedings by any organization with authority at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status): n/a

8. Petitioner has never received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status): \_\_\_\_\_

n/a

9. Petitioner has never had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked except as hereinafter provided (give particulars, e.g. date, administrative body, date of suspension or reinstatement): \_\_\_\_\_

n/a

10. Petitioner, either by resignation, withdrawal, or otherwise, has never terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings except as hereinafter provided; \_\_\_\_\_

n/a

11. Petitioner has filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matters: *(do not include Federal Pro Hacs)*

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
None			

(If necessary, please attach a statement of additional applications)

12. Nevada Counsel of Record for Petition in this matter is:

(must be the same as the signature on the Nevada Counsel consent page)

Severin                      Alexis                      Carlson                      9373  
First Name                      Middle Name                      Last Name                      Bar #

who has offices at Kaempfer Crowell Renshaw Gronauer & Fiorentino  
Firm Name/Company

50 West Liberty Street, Suite 900                      Reno                      Washoe  
Street Address                      City                      County

89501                      (775) 852-3900  
Zip Code                      Phone Number

13. The following accurately represents the names and addresses of each party in this matter,



WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties:

NAME

MAILING ADDRESS

Matter of Protested Applications

---

Please see attached service list

---

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14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

I, Fred G Nelson, do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

That I am the Petitioner in the above entitled matter; that I have read the foregoing and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; that I understand and shall comply with the standards of professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction to the State Bar of Nevada with respect to any of my actions occurring in the



I Severin A. Carlson hereby consent as Nevada Counsel of Record to the  
Print NV Counsel name

designation of Petitioner to associate in this cause pursuant to SCR 42.

DATED this 6<sup>TH</sup> day of September, 2011

Severin A. Carlson

Counsel of Record

If this signature is not in blue ink, you have a copy.

STATE OF NEVADA)

) ss

COUNTY OF WASHOE)

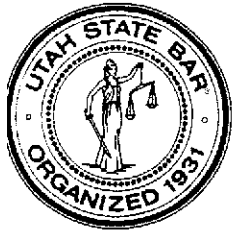
Subscribed and sworn to before me

this 6<sup>th</sup> day of Sept., 2011

Elizabeth E. Helms

Notary Public





# Utah State Bar®

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834  
Telephone: 801-531-9077 • Fax: 801-531-0660  
www.utahbar.org

John C. Baldwin  
Executive Director

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Madeline Snow & Sessions  
Salt Lake City

Debra W. Nelson  
President-Elect  
James Waldo Holbrook &  
McDonough  
Salt Lake City

Steven R. Burt, AIA  
Public Member  
Intellen Design-Build

Richard Dickson Burton  
Mark Britt  
Salt Lake City

William J. Chon  
Salt Lake County  
Property Rights Ombudsman  
Office  
Salt Lake City

Christina W. Clinger  
Clinger Lee Clinger  
Salt Lake City

Melvin J. Furse  
Salt Lake City Attorney's Office  
Salt Lake City

James D. Gilson  
Callister Nebeker &  
McCullough  
Salt Lake City

Barbara Kay Griffin, CPA  
Public Member  
Bayer Hoffman McCann

Walter M. Jensen  
Jensen Jensen & Reece  
St. George

Richard Shaw King  
King & King  
Paysville

John R. Lund  
Jensen Christensen &  
Martineau  
Salt Lake City

Norm Olsen  
Hillyard Anderson & Olsen  
Provo

Robert O. Rice  
Ray Quinney & Nebeker  
Salt Lake City

Thomas W. Seiler  
Robinson Seiler & Anderson  
Provo

August 26, 2011

To Whom It May Concern:

Re: **CERTIFICATE OF GOOD STANDING for FRED G. NELSON**

This is to certify that **FRED G. NELSON**, Utah State Bar No. 2383, was admitted to practice law in Utah on **September 5, 1974** and is an **ACTIVE** member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **FRED G. NELSON** to practice law.

Katherine A. Fox  
General Counsel  
Utah State Bar



**VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42  
Question 13 – Additional Parties List**

Southern Nevada Water Authority  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153

Dana R. Walsh, Esq.  
SNWA  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153  
*Counsel for SNWA*

Paul G. Taggart, Esq.  
108 N. Minnesota Street  
Carson City, Nevada 89703  
*Counsel for SNWA*

Robert A. Dotson, Esq.  
9600 Gateway Drive  
Reno, Nevada 89521  
*Counsel for SNWA*

Steven O. Sims  
201 N. Third Street NW, Suite 1700  
Albuquerque, NM 87102  
*Counsel for SNWA (admitted pro hac vice)*

George Benesch  
190 West Huffaker Lane, Suite 408  
Reno, Nevada 89511  
*Counsel for Nye County*

Henry Vogler  
HC 33, Box 33920  
Ely, Nevada 89301

Kenneth D. Paur  
Assistant Regional Attorney  
U.S. Dept. of Agriculture  
Office of the General Counsel  
507 25<sup>th</sup> Street, Room 205  
Ogden, Utah 84401  
*Representing the U.S.D.A. Forest Service*

Long Now Foundation  
Fort Mason Center, Building A  
San Francisco, CA 94123

Richard Sears  
1963 South 17<sup>th</sup> East HC 10  
Ely, Nevada 89301  
*Representing Richard & Ann Sears*

J. Mark Ward  
County of Millard, Utah  
50 South Main Street  
Fillmore, UT 84634  
*Representing Millard County*

Mark EchoHawk  
V. Aaron Contreras  
P.O. Box 6119  
Pocatello, ID 83205  
*Representing Confederated Tribes of  
the Goshute Indians, the Duckwater  
Shoshone Tribe, and the Ely  
Shoshone Tribe*

Eskdale Center  
1100 Circle Drive  
Eskdale, Utah 84728

John Rhodes  
County of Juab, Utah  
160 North Main  
Nephi, Utah 84648  
*Representing Juab County*

Simeon Herskovits  
Advocates for Community & Environment  
P.O. Box 1075  
El Prado, NM 87529

*Representing the Great Basin Water Network, Defenders of Wildlife, the County of White Pine and City of Ely, Border Inn, Linda Johnson, League of Women Voters of Salt Lake City, Launce Rake, David Von Seggern, Irwin Baker Edwards, Roderick McKenzie, Lund Irrigation, Debra Whipple, Inyo County, Thomas Baker, Baker GID, 2<sup>nd</sup> Big Springs, Baker Ranches, Craig Baker, Amelia Sonnenberg, Panaca Irrigation, Terrance Steadman, Great Basin Business and Tourism, Govert Basset, Cater-Griffin, Gardener's Quarter Circle, Abigail Johnson, Orvan Maynard, Preston Irrigation, William and Katherine Rountree, Keith Anderson, James & Donna Bath, JoAnne Garrett, Robert Lewis, Toiyabe Chapter of the Sierra Club, Patrick Gloeckner, Kena Gloeckner, Mark Wadsworth, Nevada Farm Bureau, Kristine Fillman, Patrick Fillman, Walter Benoit, Max & Diane Chipman*

1 STAT

2  
3 IN THE OFFICE OF THE STATE ENGINEER OF  
4 THE STATE OF NEVADA

5 IN THE MATTER OF APPLICATIONS  
6 53987 THROUGH 53992, INCLUSIVE  
7 AND 54003 THROUGH 54021, INCLUSIVE  
8 FILED TO APPROPRIATE THE  
9 UNDERGROUND WATERS OF SPRING VALLEY,  
10 CAVE VALLEY, DELAMAR VALLEY AND DRY  
11 LAKE VALLEY HYDROGRAPHIC BASINS  
(180, 181, 182 AND 184), LINCOLN  
12 COUNTY AND WHITE PINE COUNTY, NEVADA.

13 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE  
14 42(3)(b)

15 THE STATE BAR OF NEVADA, in response to the application of  
16 Petitioner, submits the following statement pursuant to SCR42(3):

17 SCR42(6)Discretion. The granting or denial of a motion to associate  
18 counsel pursuant to this rule by the court is discretionary. The  
19 court, arbitrator, mediator, or administrative or governmental  
20 hearing officer may revoke the authority of the person permitted to  
21 appear under this rule. Absent special circumstances, repeated  
22 appearances by any person or firm of attorneys pursuant to this rule  
23 shall be cause for denial of the motion to associate such person.

- 24 (a) **Limitation.** It shall be presumed, absent special  
25 circumstances, and only upon showing of good cause, that  
26 more than 5 appearances by any attorney granted under  
27 this rule in a 3-year period is excessive use of this  
28 rule.
- (b) **Burden on applicant.** The applicant shall have the  
burden to establish special circumstances and good cause  
for an appearance in excess of the limitation set forth  
in subsection 6(a) of this rule. The applicant shall set  
forth the special circumstances and good cause in an  
affidavit attached to the original verified application.

1. DATE OF APPLICATION: 9/7/2011

2. APPLYING ATTORNEY: Fred G. Nelson, Esq.


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3. FIRM NAME AND ADDRESS: 50 E. North Temple, Salt Lake City, UT  
84150

4. NEVADA COUNSEL OF RECORD: Severin A. Carlson, Esq., Kaempfer  
Crowell Renshaw Gronauer & Fiorentino, 50 W. Liberty Street,  
Suite 900, Reno, NV 89501

5. There is no record of previous applications for appearance by  
petitioner within the past three (3) years.

DATED this September 7, 2011

  
Mary Jorgensen  
Member Services Coordinator  
Pro Hac Vice Processor  
STATE BAR OF NEVADA



## **EXHIBIT 2**

VAPP

IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATIONS )  
53987 THROUGH 53992, INCLUSIVE )  
AND 54003 THROUGH 54021, INCLUSIVE )  
FILED TO APPROPRIATE THE )  
UNDERGROUND WATERS OF SPRING )  
VALLEY, CAVE VALLEY, DELAMAR )  
VALLEY AND DRY LAKE VALLEY )  
HYDROGRAPHIC BASINS (180, 181, 182 )  
AND 184), LINCOLN COUNTY AND )  
WHITE PINE COUNTY, NEVADA. )

VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42

Randy T. Austin, Petitioner, respectfully  
represents:  
First Middle Name Last

1. Petitioner resides at 284 Twin River Loop  
Street Address

Alpine, Utah, UT, 84004  
City County State Zip Code

(801) 763-5883  
Telephone

2. Petitioner is an attorney at law and a member of the law firm of: Kirton & McConkie

with offices at 1800 Eagle Gate Tower, 60 East South Temple  
Street Address

Salt Lake City, Salt Lake, UT, 84145-0120  
City County State Zip Code

(801 ) 328-3600, raustin@kmclaw.com  
Telephone Email

3. Petitioner has been retained personally or as a member of the above named law firm by The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole, to provide legal representation in connection with the above-entitled matter now pending before the above referenced state agency.

4. Since October of 1992, petitioner has been, and presently is, a member of good standing of the bar of the highest court of the State of Utah where petitioner regularly practices law.

5. Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the bars of said Courts:

	<u>DATE ADMITTED</u>
<u>Utah State Bar</u>	<u>1992</u>
<u>District Court for the District of Utah</u>	<u>1993</u>
<u>U.S. Court of Appeals for the Ninth Circuit Court</u>	<u>1993</u>
<u>U.S. Court of Appeals for the Tenth Circuit Court</u>	<u>1998</u>

6. Petitioner is not currently suspended or disbarred in any court except as hereinafter provided

(Give particulars; e.g., Court, jurisdiction, date): N/A

7. Petitioner is not currently subject to any disciplinary proceedings by any organization with authority at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status): N/A

8. Petitioner has never received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status): N/A

---

9. Petitioner has never had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked except as hereinafter provided (give particulars, e.g. date, administrative body, date of suspension or reinstatement): N/A

---

10. Petitioner, either by resignation, withdrawal, or otherwise, has never terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings except as hereinafter provided; N/A

---

11. Petitioner has filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matters: *(do not include Federal Pro Hacs)*

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
None	None	N/A	N/A

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(If necessary, please attach a statement of additional applications)

12. Nevada Counsel of Record for Petition in this matter is:

(must be the same as the signature on the Nevada Counsel consent page)

Severin                      Alexis                      Carlson                      9373  
First Name                      Middle Name                      Last Name                      Bar #

who has offices at Kaempfer Crowell Renshaw Gronauer & Fiorentino  
Firm Name/Company

50 West Liberty Street, Suite 900                      Reno                      Washoe  
Street Address                      City                      County

89501                      (775) 852-3900  
Zip Code                      Phone Number

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties:

NAME

MAILING ADDRESS

Matter of Protested Applications

Please see attached service list

---

---

14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

I, Randy T. Austin, do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

That I am the Petitioner in the above entitled matter; that I have read the foregoing and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; that I understand and shall comply with the standards of professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction to the State Bar of Nevada with respect to any of my actions occurring in the course of such appearance.

DATED this 30<sup>th</sup> day of August, 2011

Randy T. Austin  
Petitioner/Affiant

If this signature is not in blue ink, you have a copy.

STATE OF Utah )  
COUNTY OF Salt Lake ) ss

Subscribed and sworn to before me  
this 30<sup>th</sup> day of August, 2011  
Connie N. Barney  
Notary Public



I Severin A. Carlson hereby consent as Nevada Counsel of Record to the  
Print NV Counsel name

designation of Petitioner to associate in this cause pursuant to SCR 42.

DATED this 6<sup>th</sup> day of September, 2011

Severin A. Carlson

Counsel of Record

If this signature is not in blue ink, you have a copy.

STATE OF NEVADA)

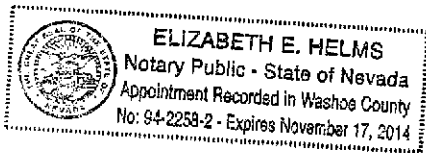
) ss

COUNTY OF WASHOE)

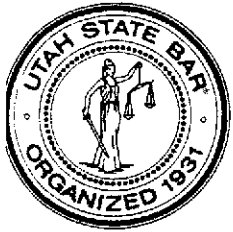
Subscribed and sworn to before me

this 6<sup>th</sup> day of Sept., 2011

Elizabeth E. Helms  
Notary Public







# Utah State Bar®

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834  
Telephone: 801-531-9077 • Fax: 801-531-0660  
www.utahbar.org

ohn C. Baldwin  
xecutive Director

## oard of Commissioners

dney G. Snow  
esident  
yde Snow & Sessions  
lt Lake City

ri W. Nelson  
esident-elect  
nes Waldo Holbrook &  
Donough  
lt Lake City

even R. Burt, AIA  
ublic Member  
telen Design-Build

Dickson Burton  
askBritt  
lt Lake City

J. J. Chon  
lt Lake County  
roperty Rights Ombudsman  
ffice  
lt Lake City

hristian W. Clinger  
linger Lee Clinger  
lt Lake City

velyn J. Furse  
lt Lake City Attorney's Office  
lt Lake City

ames D. Gilson  
allister Nebeker &  
icCullough  
lt Lake City

lary Kay Griffin, CPA  
ublic Member  
layer Hoffman McCann

urtis M. Jensen  
now Jensen & Reece  
t. George

elshaw King  
ing & King  
aysville

ohn R. Lund  
inow Christensen &  
fartineau  
alt Lake City

lorm Olsen  
lillyard Anderson & Olsen  
ogan

obert O. Rice  
ay Quinney & Nebeker  
ialt Lake City

Thomas W. Seiler  
obinson Seiler & Anderson  
rovo

August 26, 2011

To Whom It May Concern:

Re: **CERTIFICATE OF GOOD STANDING for RANDY T. AUSTIN**

This is to certify that **RANDY T. AUSTIN**, Utah State Bar No. 6171, was admitted to practice law in Utah on **October 27, 1992** and is an **ACTIVE** member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **RANDY T. AUSTIN** to practice law.

Katherine A. Fox  
General Counsel  
Utah State Bar



**VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42  
Question 13 – Additional Parties List**

Southern Nevada Water Authority  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153

Dana R. Walsh, Esq.  
SNWA  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153  
*Counsel for SNWA*

Paul G. Taggart, Esq.  
108 N. Minnesota Street  
Carson City, Nevada 89703  
*Counsel for SNWA*

Robert A. Dotson, Esq.  
9600 Gateway Drive  
Reno, Nevada 89521  
*Counsel for SNWA*

Steven O. Sims  
201 N. Third Street NW, Suite 1700  
Albuquerque, NM 87102  
*Counsel for SNWA (admitted pro hac vice)*

George Benesch  
190 West Huffaker Lane, Suite 408  
Reno, Nevada 89511  
*Counsel for Nye County*

Henry Vogler  
HC 33, Box 33920  
Ely, Nevada 89301

Kenneth D. Paur  
Assistant Regional Attorney  
U.S. Dept. of Agriculture  
Office of the General Counsel  
507 25<sup>th</sup> Street, Room 205  
Ogden, Utah 84401  
*Representing the U.S.D.A. Forest Service*

Long Now Foundation  
Fort Mason Center, Building A  
San Francisco, CA 94123

Richard Sears  
1963 South 17<sup>th</sup> East HC 10  
Ely, Nevada 89301  
*Representing Richard & Ann Sears*

J. Mark Ward  
County of Millard, Utah  
50 South Main Street  
Fillmore, UT 84634  
*Representing Millard County*

Mark EchoHawk  
V. Aaron Contreras  
P.O. Box 6119  
Pocatello, ID 83205  
*Representing Confederated Tribes of  
the Goshute Indians, the Duckwater  
Shoshone Tribe, and the Ely  
Shoshone Tribe*

Eskdale Center  
1100 Circle Drive  
Eskdale, Utah 84728

John Rhodes  
County of Juab, Utah  
160 North Main  
Nephi, Utah 84648  
*Representing Juab County*

Simeon Herskovits  
Advocates for Community & Environment  
P.O. Box 1075  
El Prado, NM 87529

*Representing the Great Basin Water Network, Defenders of Wildlife, the County of White Pine and City of Ely, Border Inn, Linda Johnson, League of Women Voters of Salt Lake City, Launce Rake, David Von Seggern, Irwin Baker Edwards, Roderick McKenzie, Lund Irrigation, Debra Whipple, Inyo County, Thomas Baker, Baker GID, 2<sup>nd</sup> Big Springs, Baker Ranches, Craig Baker, Amelia Sonnenberg, Panaca Irrigation, Terrance Steadman, Great Basin Business and Tourism, Govert Basset, Cater-Griffin, Gardener's Quarter Circle, Abigail Johnson, Orvan Maynard, Preston Irrigation, William and Katherine Rountree, Keith Anderson, James & Donna Bath, JoAnne Garrett, Robert Lewis, Toiyabe Chapter of the Sierra Club, Patrick Gloeckner, Kena Gloeckner, Mark Wadsworth, Nevada Farm Bureau, Kristine Fillman, Patrick Fillman, Walter Benoit, Max & Diane Chipman*

1 STAT

2  
3 IN THE OFFICE OF THE STATE ENGINEER OF  
4 THE STATE OF NEVADA

5 IN THE MATTER OF APPLICATIONS  
6 53987 THROUGH 53992, INCLUSIVE  
7 AND 54003 THROUGH 54021, INCLUSIVE  
8 FILED TO APPROPRIATE THE  
9 UNDERGROUND WATERS OF SPRING VALLEY,  
10 CAVE VALLEY, DELAMAR VALLEY AND DRY  
11 LAKE VALLEY HYDROGRAPHIC BASINS  
12 (180, 181, 182 AND 184), LINCOLN  
13 COUNTY AND WHITE PINE COUNTY, NEVADA.

14  
15 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE  
16 42 (3) (b)

17 THE STATE BAR OF NEVADA, in response to the application of  
18 Petitioner, submits the following statement pursuant to SCR42(3):

19 SCR42(6) Discretion. The granting or denial of a motion to associate  
20 counsel pursuant to this rule by the court is discretionary. The  
21 court, arbitrator, mediator, or administrative or governmental  
22 hearing officer may revoke the authority of the person permitted to  
23 appear under this rule. Absent special circumstances, repeated  
24 appearances by any person or firm of attorneys pursuant to this rule  
25 shall be cause for denial of the motion to associate such person.

26 (a) **Limitation.** It shall be presumed, absent special  
27 circumstances, and only upon showing of good cause, that  
28 more than 5 appearances by any attorney granted under  
this rule in a 3-year period is excessive use of this  
rule.

(b) **Burden on applicant.** The applicant shall have the  
burden to establish special circumstances and good cause  
for an appearance in excess of the limitation set forth  
in subsection 6(a) of this rule. The applicant shall set  
forth the special circumstances and good cause in an  
affidavit attached to the original verified application.

1. DATE OF APPLICATION: 9/7/2011

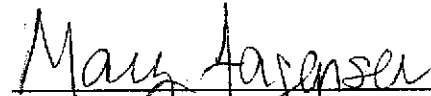
2. APPLYING ATTORNEY: Randy T. Austin, Esq.

3. FIRM NAME AND ADDRESS: Kirton & McConkie, 1800 Eagle Gate  
Tower, 60 E. South Temple, Salt Lake City, UT 84145

1 4. NEVADA COUNSEL OF RECORD: Severin A. Carlson, Esq., Kaempfer  
2 Crowell Renshaw Gronauer & Fiorentino, 50 W. Liberty Street,  
3 Suite 900, Reno, NV 89501

4 5. There is no record of previous applications for appearance by  
5 petitioner within the past three (3) years.

6 DATED this September 7, 2011

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8 

9 Mary Jorgensen  
10 Member Services Coordinator  
11 Pro Hac Vice Processor  
12 STATE BAR OF NEVADA  
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## **EXHIBIT 3**

VAPP

IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATIONS )  
53987 THROUGH 53992, INCLUSIVE )  
AND 54003 THROUGH 54021, INCLUSIVE )  
FILED TO APPROPRIATE THE )  
UNDERGROUND WATERS OF SPRING )  
VALLEY, CAVE VALLEY, DELAMAR )  
VALLEY AND DRY LAKE VALLEY )  
HYDROGRAPHIC BASINS (180, 181, 182 )  
AND 184), LINCOLN COUNTY AND )  
WHITE PINE COUNTY, NEVADA. )  
\_\_\_\_\_ )

VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42

Eric C. Olson, Petitioner, respectfully represents:  
First Middle Name Last

1. Petitioner resides at 1580 E. Noal Dr.  
Street Address

Salt Lake City, Salt Lake, Utah, 84124  
City County State Zip Code

( 801 ) 272-4589  
Telephone

2. Petitioner is an attorney at law and a member of the law firm of: Kirton & McConkie

with offices at 60 E. South Temple, Suite 1800  
Street Address

Salt Lake City, Salt Lake, Utah, 84111  
City County State Zip Code

( 801 ) 321-4818, eolson@kmclaw.com  
Telephone Email

3. Petitioner has been retained personally or as a member of the above named law firm by The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah corporation sole, to provide legal representation in connection with the above-entitled matter now pending before the above referenced state agency.

4. Since October of 1983, petitioner has been, and presently is, a member of good standing of the bar of the highest court of the State of Utah where petitioner regularly practices law.

5. Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the bars of said Courts:

	<u>DATE ADMITTED</u>
<u>Supreme Court of Utah</u>	<u>October 5, 1980</u>
<u>Supreme Court of Kentucky</u>	<u>(no longer active) October 22, 1980</u>
<u>Supreme Court of the United States</u>	<u>January 8, 2001</u>
<u>United States Court of Appeals for the Federal Circuit</u>	<u>December 22, 1993</u>
<u>United States Court of Appeals for the Fifth Circuit</u>	<u>July 26, 1999</u>
<u>United States Court of Appeals for the Ninth Circuit</u>	<u>July 26, 1993</u>
<u>United States Court of Appeals for the Tenth Circuit</u>	<u>May 1, 1984</u>
<u>U. S. District Court for the District of Utah</u>	<u>October 14, 1983</u>
<u>U. S. District Court for the Western District of Kentucky</u>	<u>October 5, 1981</u>
<u>U. S. District Court for the Eastern District of Kentucky</u>	<u>August 17, 1981</u>
<u>U. S. District Court for the District of Colorado</u>	<u>April 29, 2002</u>



6. Petitioner is not currently suspended or disbarred in any court except as hereinafter provided

(Give particulars; e.g., Court, jurisdiction, date): n/a

---

7. Petitioner is not currently subject to any disciplinary proceedings by any organization with authority at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status):

n/a

---

8. Petitioner has never received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status):

n/a

---

9. Petitioner has never had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked except as hereinafter provided (give particulars, e.g. date, administrative body, date of suspension or reinstatement):

n/a

---

10. Petitioner, either by resignation, withdrawal, or otherwise, has never terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings except as hereinafter provided;

n/a

---

11. Petitioner has filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matters: *(do not include Federal Pro Hacs)*

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
<u>None</u>			

(If necessary, please attach a statement of additional applications)

12. Nevada Counsel of Record for Petition in this matter is:

(must be the same as the signature on the Nevada Counsel consent page)

Severin                      Alexis                      Carlson                      9373  
 First Name                      Middle Name                      Last Name                      Bar #

who has offices at Kaempfer Crowell Renshaw Gronauer & Fiorentino  
 Firm Name/Company

50 West Liberty Street, Suite 900                      Reno                      Washoe  
 Street Address                      City                      County

89501                      (775) 852-3900  
 Zip Code                      Phone Number

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties:

NAME	MAILING ADDRESS
<u>Matter of Protested Applications</u>	_____
<u>Please see attached service list</u>	_____

14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.



I Severin A. Carlson hereby consent as Nevada Counsel of Record to the  
Print NV Counsel name

designation of Petitioner to associate in this cause pursuant to SCR 42.

DATED this 6<sup>th</sup> day of September, 2011.

Severin A. Carlson  
Counsel of Record

STATE OF NEVADA)

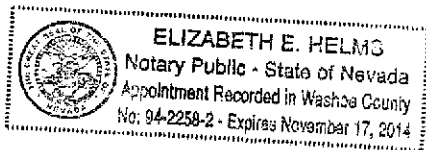
) ss

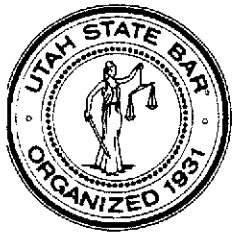
COUNTY OF WASHOE)

Subscribed and sworn to before me

this 6<sup>th</sup> day of Sept, 2011

Elizabeth E. Helms  
Notary Public





# Utah State Bar®

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834  
Telephone: 801-531-9077 • Fax: 801-531-0660  
www.utahbar.org

John C. Baldwin  
Executive Director

#### Board of Commissioners

Edney G. Snow  
President  
Edney G. Snow & Sessions  
Salt Lake City

Debra W. Nelson  
President-elect  
Debra W. Nelson, Waldo Holbrook &  
McDonough  
Salt Lake City

Steven R. Burt, AIA  
Public Member  
Steven R. Burt Design-Build

Richard Dickson Burton  
Past President  
Salt Lake City

David J. Chon  
Salt Lake County  
Property Rights Ombudsman  
Office  
Salt Lake City

Christian W. Clinger  
Clinger Lee Clinger  
Salt Lake City

Deborah J. Furse  
Salt Lake City Attorney's Office  
Salt Lake City

James D. Gilson  
Allister Nebeker &  
McCullough  
Salt Lake City

Mary Kay Griffin, CPA  
Public Member  
Mary Kay Hoffman McCann

Walter M. Jensen  
Snow Jensen & Reece  
Salt Lake City

Deborah King  
King & King  
Cedar Breaks

John R. Lund  
Snow Christensen &  
Martineau  
Salt Lake City

Norm Olsen  
Hillyard Anderson & Olsen  
Provo

Robert O. Rice  
Ray Quinney & Nebeker  
Salt Lake City

Thomas W. Seiler  
Robinson Seiler & Anderson  
Provo

August 26, 2011

To Whom It May Concern:

Re: **CERTIFICATE OF GOOD STANDING for ERIC C. OLSON**

This is to certify that **ERIC C. OLSON**, Utah State Bar No. **4108**, was admitted to practice law in Utah on **October 5, 1983** and is an **ACTIVE** member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **ERIC C. OLSON** to practice law.

Katherine A. Fox  
General Counsel  
Utah State Bar



**VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42  
Question 13 – Additional Parties List**

Southern Nevada Water Authority  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153

Dana R. Walsh, Esq.  
SNWA  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153  
*Counsel for SNWA*

Paul G. Taggart, Esq.  
108 N. Minnesota Street  
Carson City, Nevada 89703  
*Counsel for SNWA*

Robert A. Dotson, Esq.  
9600 Gateway Drive  
Reno, Nevada 89521  
*Counsel for SNWA*

Steven O. Sims  
201 N. Third Street NW, Suite 1700  
Albuquerque, NM 87102  
*Counsel for SNWA (admitted pro hac vice)*

George Benesch  
190 West Huffaker Lane, Suite 408  
Reno, Nevada 89511  
*Counsel for Nye County*

Henry Vogler  
HC 33, Box 33920  
Ely, Nevada 89301

Kenneth D. Paur  
Assistant Regional Attorney  
U.S. Dept. of Agriculture  
Office of the General Counsel  
507 25<sup>th</sup> Street, Room 205  
Ogden, Utah 84401  
*Representing the U.S.D.A. Forest Service*

Long Now Foundation  
Fort Mason Center, Building A  
San Francisco, CA 94123

Richard Sears  
1963 South 17<sup>th</sup> East HC 10  
Ely, Nevada 89301  
*Representing Richard & Ann Sears*

J. Mark Ward  
County of Millard, Utah  
50 South Main Street  
Fillmore, UT 84634  
*Representing Millard County*

Mark EchoHawk  
V. Aaron Contreras  
P.O. Box 6119  
Pocatello, ID 83205  
*Representing Confederated Tribes of  
the Goshute Indians, the Duckwater  
Shoshone Tribe, and the Ely  
Shoshone Tribe*

Eskdale Center  
1100 Circle Drive  
Eskdale, Utah 84728

John Rhodes  
County of Juab, Utah  
160 North Main  
Nephi, Utah 84648  
*Representing Juab County*

Simeon Herskovits  
Advocates for Community & Environment  
P.O. Box 1075  
El Prado, NM 87529

*Representing the Great Basin Water Network, Defenders of Wildlife, the County of White Pine and City of Ely, Border Inn, Linda Johnson, League of Women Voters of Salt Lake City, Launce Rake, David Von Seggern, Irwin Baker Edwards, Roderick McKenzie, Lund Irrigation, Debra Whipple, Inyo County, Thomas Baker, Baker GID, 2<sup>nd</sup> Big Springs, Baker Ranches, Craig Baker, Amelia Sonnenberg, Panaca Irrigation, Terrance Steadman, Great Basin Business and Tourism, Govert Basset, Cater-Griffin, Gardener's Quarter Circle, Abigail Johnson, Orvan Maynard, Preston Irrigation, William and Katherine Rountree, Keith Anderson, James & Donna Bath, JoAnne Garrett, Robert Lewis, Toiyabe Chapter of the Sierra Club, Patrick Gloeckner, Kena Gloeckner, Mark Wadsworth, Nevada Farm Bureau, Kristine Fillman, Patrick Fillman, Walter Benoit, Max & Diane Chipman*



1 STAT

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3 IN THE OFFICE OF THE STATE ENGINEER OF  
4 THE STATE OF NEVADA

5 IN THE MATTER OF APPLICATIONS  
6 53987 THROUGH 53992, INCLUSIVE  
7 AND 54003 THROUGH 54021, INCLUSIVE  
8 FILED TO APPROPRIATE THE  
9 UNDERGROUND WATERS OF SPRING VALLEY,  
10 CAVE VALLEY, DELAMAR VALLEY AND DRY  
11 LAKE VALLEY HYDROGRAPHIC BASINS  
(180, 181, 182 AND 184), LINCOLN  
12 COUNTY AND WHITE PINE COUNTY, NEVADA.

13 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE  
14 42(3)(b)

15 THE STATE BAR OF NEVADA, in response to the application of  
16 Petitioner, submits the following statement pursuant to SCR42(3):

17 **SCR42(6)Discretion.** The granting or denial of a motion to associate  
18 counsel pursuant to this rule by the court is discretionary. The  
19 court, arbitrator, mediator, or administrative or governmental  
20 hearing officer may revoke the authority of the person permitted to  
21 appear under this rule. Absent special circumstances, repeated  
22 appearances by any person or firm of attorneys pursuant to this rule  
23 shall be cause for denial of the motion to associate such person.

24 (a) **Limitation.** It shall be presumed, absent special  
25 circumstances, and only upon showing of good cause, that  
26 more than 5 appearances by any attorney granted under  
27 this rule in a 3-year period is excessive use of this  
28 rule.

(b) **Burden on applicant.** The applicant shall have the  
burden to establish special circumstances and good cause  
for an appearance in excess of the limitation set forth  
in subsection 6(a) of this rule. The applicant shall set  
forth the special circumstances and good cause in an  
affidavit attached to the original verified application.

1. DATE OF APPLICATION: 9/7/2011

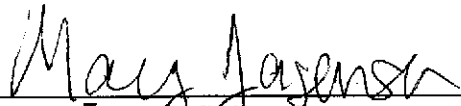
2. APPLYING ATTORNEY: Eric C. Olson, Esq.

1 3. FIRM NAME AND ADDRESS: Kirton & McConkie, 60 E. South Temple,  
2 Suite 1800, Salt Lake City, UT 84111

3 4. NEVADA COUNSEL OF RECORD: Severin A. Carlson, Esq., Kaempfer  
4 Crowell Renshaw Gronauer & Fiorentino, 50 W. Liberty Street,  
5 Suite 900, Reno, NV 89501

6 5. There is no record of previous applications for appearance by  
7 petitioner within the past three (3) years.

8 DATED this September 7, 2011

9  
10   
11 Mary Jorgensen  
12 Member Services Coordinator  
13 Pro Hac Vice Processor  
14 STATE BAR OF NEVADA  
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## **EXHIBIT 4**

VAPP

**IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA**

**IN THE MATTER OF APPLICATIONS )  
53987 THROUGH 53992, INCLUSIVE )  
AND 54003 THROUGH 54021, INCLUSIVE )  
FILED TO APPROPRIATE THE )  
UNDERGROUND WATERS OF SPRING )  
VALLEY, CAVE VALLEY, DELAMAR )  
VALLEY AND DRY LAKE VALLEY )  
HYDROGRAPHIC BASINS (180, 181, 182 )  
AND 184), LINCOLN COUNTY AND )  
WHITE PINE COUNTY, NEVADA. )  
\_\_\_\_\_ )**

**VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42**

Richard Bruce Findlay, Petitioner, respectfully represents:  
First Middle Name Last

1. Petitioner resides at 2825 Wilshire Drive  
Street Address

Salt Lake City, Salt Lake, Utah, 84109  
City County State Zip Code

(801) 485-2060  
Telephone

2. Petitioner is an attorney at law and a member of the law firm of: Kirton & McConkie

with offices at 60 E. South Temple, Suite 1800  
Street Address

Salt Lake City, Salt Lake, Utah, 84111  
City County State Zip Code

(801) 321-4832, bfindlay@kmclaw.com  
Telephone Email

3. Petitioner has been retained personally or as a member of the above named law firm by The Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah

corporation sole, to provide legal representation in connection with the above-entitled matter now pending before the above referenced state agency.

4. Since 19 October of 1973, petitioner has been, and presently is, a member of good standing of the bar of the highest court of the State of Utah where petitioner regularly practices law.

5. Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the bars of said Courts:

	<u>DATE ADMITTED</u>
<u>Utah Federal Court</u>	<u>October 19, 1973</u>
<u>Tenth Circuit Court of Appeals</u>	<u>December 15, 1977</u>

6. Petitioner is not currently suspended or disbarred in any court except as hereinafter provided

(Give particulars; e.g., Court, jurisdiction, date): n/a

7. Petitioner is not currently subject to any disciplinary proceedings by any organization with authority at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date,

status): n/a

8. Petitioner has never received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter

provided (give particulars, e.g. court, discipline authority, date, status): n/a

9. Petitioner has never had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked except as hereinafter provided (give particulars, e.g. date,

administrative body, date of suspension or reinstatement): n/a

10. Petitioner, either by resignation, withdrawal, or otherwise, has never terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings except as hereinafter provided; n/a

11. Petitioner has filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matters: *(do not include Federal Pro Hacs)*

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
<u>None</u>	<u>None</u>	<u>n/a</u>	<u>n/a</u>

(If necessary, please attach a statement of additional applications)

12. Nevada Counsel of Record for Petition in this matter is: (must be the same as the signature on the Nevada Counsel consent page)

Severin                      Alexis                      Carlson                      9373  
 First Name                      Middle Name                      Last Name                      Bar #

who has offices at Kaempfer Crowell Renshaw Gronauer & Fiorentino  
 Firm Name/Company

50 West Liberty Street, Suite 900                      Reno                      Washoe  
 Street Address                      City                      County

89501                      (775) 852-3900  
 Zip Code                      Phone Number

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties:

NAME

MAILING ADDRESS

Matter of Protested Applications

Please see attached service list

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14. Petitioner agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

I, Richard Bruce Findlay, do hereby swear/affirm under penalty of perjury that the assertions of this application are true:

That I am the Petitioner in the above entitled matter; that I have read the foregoing and know the contents thereof; that the same is true of my own knowledge except as to those matters therein stated on information and belief, and as to the matter I believe them to be true.

That I further certify that I am subject to the jurisdiction of the Courts and disciplinary boards of this state with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada; that I understand and shall comply with the standards of professional conduct required by members of the State Bar of Nevada; and that I am subject to the disciplinary jurisdiction to the State Bar of Nevada with respect to any of my actions occurring in the course of such appearance.

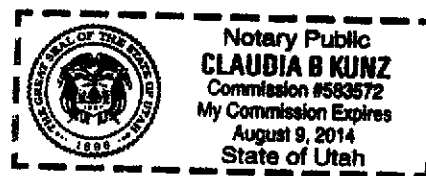
DATED this 1 day of September, 2011.

R Bruce Findlay  
Petitioner/Affiant  
If this signature is not in blue ink, you have a copy.

STATE OF UTAH                    )  
  )ss.  
COUNTY OF SALT LAKE        )

Subscribed and sworn to before me on this 1st day of September, 2011.

Claudia B Kunz  
Notary Public





I, Severin A. Carlson hereby consent as Nevada Counsel of Record to the designation of Petitioner  
Print NV Counsel Name

to associate in this cause pursuant to SCR 42.

DATED this 6<sup>th</sup> day of September, 2011

Severin A. Carlson

Counsel of Record

If this signature is not in blue ink, you have a copy.

STATE OF NEVADA )

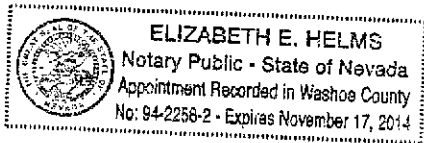
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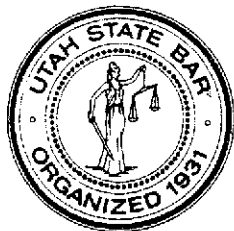
COUNTY OF WASHOE )

Subscribed and sworn to before me on this 6<sup>th</sup> day of Sept., 2011.

Elizabeth Helms

Notary Public





# Utah State Bar®

645 South 200 East, Suite 310 • Salt Lake City, Utah 84111-3834  
Telephone: 801-531-9077 • Fax: 801-531-0660  
www.utahbar.org

John C. Baldwin  
Executive Director

## Board of Commissioners

Godfrey G. Snow  
resident  
Lyde Snow & Sessions  
Salt Lake City

Debra W. Nelson  
resident-elect  
James Waldo Holbrook &  
McDonough  
Salt Lake City

Steven R. Burt, AIA  
Public Member  
Intelen Design-Build

William Dickson Burton  
Clark Britt  
Salt Lake City

William J. Chon  
Salt Lake County  
Property Rights Ombudsman  
Office  
Salt Lake City

Christian W. Clinger  
Clinger Lee Clinger  
Salt Lake City

Evelyn J. Furse  
Salt Lake City Attorney's Office  
Salt Lake City

James D. Gilson  
Callister Nebeker &  
McCullough  
Salt Lake City

Mary Kay Griffin, CPA  
Public Member  
Mayer Hoffman McCann

Curtis M. Jensen  
Snow Jensen & Reece  
St. George

Paulshaw King  
King & King  
Caysville

John R. Lund  
Snow Christensen &  
Martineau  
Salt Lake City

Therm Olsen  
Hillyard Anderson & Olsen  
Logan

Robert O. Rice  
Ray Quinney & Nebeker  
Salt Lake City

Thomas W. Seiler  
Robinson Seiler & Anderson  
Provo

September 2, 2011

To Whom It May Concern:

Re: **CERTIFICATE OF GOOD STANDING for R. BRUCE FINDLAY**

This is to certify that **R. BRUCE FINDLAY**, Utah State Bar No. 1075, was admitted to practice law in Utah on **October 19, 1973** and is an **ACTIVE** member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **R. BRUCE FINDLAY** to practice law.

Katherine A. Fox  
General Counsel  
Utah State Bar



**VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42  
Question 13 – Additional Parties List**

Southern Nevada Water Authority  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153

Dana R. Walsh, Esq.  
SNWA  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153  
*Counsel for SNWA*

Paul G. Taggart, Esq.  
108 N. Minnesota Street  
Carson City, Nevada 89703  
*Counsel for SNWA*

Robert A. Dotson, Esq.  
9600 Gateway Drive  
Reno, Nevada 89521  
*Counsel for SNWA*

Steven O. Sims  
201 N. Third Street NW, Suite 1700  
Albuquerque, NM 87102  
*Counsel for SNWA (admitted pro hac vice)*

George Benesch  
190 West Huffaker Lane, Suite 408  
Reno, Nevada 89511  
*Counsel for Nye County*

Henry Vogler  
HC 33, Box 33920  
Ely, Nevada 89301

Kenneth D. Paur  
Assistant Regional Attorney  
U.S. Dept. of Agriculture  
Office of the General Counsel  
507 25<sup>th</sup> Street, Room 205  
Ogden, Utah 84401  
*Representing the U.S.D.A. Forest Service*

Long Now Foundation  
Fort Mason Center, Building A  
San Francisco, CA 94123

Richard Sears  
1963 South 17<sup>th</sup> East HC 10  
Ely, Nevada 89301  
*Representing Richard & Ann Sears*

J. Mark Ward  
County of Millard, Utah  
50 South Main Street  
Fillmore, UT 84634  
*Representing Millard County*

Mark EchoHawk  
V. Aaron Contreras  
P.O. Box 6119  
Pocatello, ID 83205  
*Representing Confederated Tribes of  
the Goshute Indians, the Duckwater  
Shoshone Tribe, and the Ely  
Shoshone Tribe*

Eskdale Center  
1100 Circle Drive  
Eskdale, Utah 84728

John Rhodes  
County of Juab, Utah  
160 North Main  
Nephi, Utah 84648  
*Representing Juab County*

Simeon Herskovits  
Advocates for Community & Environment  
P.O. Box 1075  
El Prado, NM 87529

*Representing the Great Basin Water Network, Defenders of Wildlife, the County of White Pine and City of Ely, Border Inn, Linda Johnson, League of Women Voters of Salt Lake City, Launce Rake, David Von Seggern, Irwin Baker Edwards, Roderick McKenzie, Lund Irrigation, Debra Whipple, Inyo County, Thomas Baker, Baker GID, 2<sup>nd</sup> Big Springs, Baker Ranches, Craig Baker, Amelia Sonnenberg, Panaca Irrigation, Terrance Steadman, Great Basin Business and Tourism, Govert Basset, Cater-Griffin, Gardener's Quarter Circle, Abigail Johnson, Orvan Maynard, Preston Irrigation, William and Katherine Rountree, Keith Anderson, James & Donna Bath, JoAnne Garrett, Robert Lewis, Toiyabe Chapter of the Sierra Club, Patrick Gloeckner, Kena Gloeckner, Mark Wadsworth, Nevada Farm Bureau, Kristine Fillman, Patrick Fillman, Walter Benoit, Max & Diane Chipman*

1 STAT

2  
3 IN THE OFFICE OF THE STATE ENGINEER OF  
4 THE STATE OF NEVADA

5 IN THE MATTER OF APPLICATIONS  
6 53987 THROUGH 53992, INCLUSIVE  
7 AND 54003 THROUGH 54021, INCLUSIVE  
8 FILED TO APPROPRIATE THE  
9 UNDERGROUND WATERS OF SPRING VALLEY,  
10 CAVE VALLEY, DELAMAR VALLEY AND DRY  
11 LAKE VALLEY HYDROGRAPHIC BASINS  
12 (180, 181, 182 AND 184), LINCOLN  
13 COUNTY AND WHITE PINE COUNTY, NEVADA.

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STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE  
42 (3) (b)

THE STATE BAR OF NEVADA, in response to the application of  
Petitioner, submits the following statement pursuant to SCR42(3):

SCR42(6)Discretion. The granting or denial of a motion to associate  
counsel pursuant to this rule by the court is discretionary. The  
court, arbitrator, mediator, or administrative or governmental  
hearing officer may revoke the authority of the person permitted to  
appear under this rule. Absent special circumstances, repeated  
appearances by any person or firm of attorneys pursuant to this rule  
shall be cause for denial of the motion to associate such person.

(a) **Limitation.** It shall be presumed, absent special  
circumstances, and only upon showing of good cause, that  
more than 5 appearances by any attorney granted under  
this rule in a 3-year period is excessive use of this  
rule.

(b) **Burden on applicant.** The applicant shall have the  
burden to establish special circumstances and good cause  
for an appearance in excess of the limitation set forth  
in subsection 6(a) of this rule. The applicant shall set  
forth the special circumstances and good cause in an  
affidavit attached to the original verified application.

1. DATE OF APPLICATION: 9/7/2011

2. APPLYING ATTORNEY: Richard Bruce Findlay, Esq.


3. FIRM NAME AND ADDRESS: Kirton & McConkie, 60 E. South Temple,  
Suite 1800, Salt Lake City, UT 84111

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4. NEVADA COUNSEL OF RECORD: Severin A. Carlson, Esq., Kaempfer  
Crowell Renshaw Gronauer & Fiorentino, 50 W. Liberty Street,  
Suite 900, Reno, NV 89501

5. There is no record of previous applications for appearance by  
petitioner within the past three (3) years.

DATED this September 7, 2011

  
Mary Jorgensen  
Mary Jorgensen  
Member Services Coordinator  
Pro Hac Vice Processor  
STATE BAR OF NEVADA

## **EXHIBIT 5**

VAPP

IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATIONS )  
53987 THROUGH 53992, INCLUSIVE )  
AND 54003 THROUGH 54021, INCLUSIVE )  
FILED TO APPROPRIATE THE )  
UNDERGROUND WATERS OF SPRING )  
VALLEY, CAVE VALLEY, DELAMAR )  
VALLEY AND DRY LAKE VALLEY )  
HYDROGRAPHIC BASINS (180, 181, 182 )  
AND 184), LINCOLN COUNTY AND )  
WHITE PINE COUNTY, NEVADA. )

VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42

Justin W. Starr, Petitioner, respectfully represents:  
First Middle Name Last

1. Petitioner resides at 1846 N. Stallion Lane  
Street Address

Salt Lake City, Salt Lake, UT, 84116  
City County State Zip Code

(801) 359-0702  
Telephone

2. Petitioner is an attorney at law and a member of the law firm of: Kirton & McConkie

with offices at 1800 Eagle Gate Tower, 60 East South Temple  
Street Address

Salt Lake City, Salt Lake, UT, 84145-0120  
City County State Zip Code

(801) 328-3600, jstarr@kmclaw.com  
Telephone Email



3. Petitioner has been retained personally or as a member of the above named law firm by The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah corporation sole, to provide legal representation in connection with the above-entitled matter now pending before the above referenced state agency.

4. Since October of 2005, petitioner has been, and presently is, a member of good standing of the bar of the highest court of the State of Utah where petitioner regularly practices law.

5. Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States, and/or courts of other states on the dates indicated for each, and is presently a member in good standing of the bars of said Courts:

	<u>DATE ADMITTED</u>
<u>Utah State Bar</u>	<u>2005</u>
<u>U.S. Court of Appeals, Tenth Circuit</u>	<u>2005</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

6. Petitioner is not currently suspended or disbarred in any court except as hereinafter provided (Give particulars; e.g., Court, jurisdiction, date): n/a

7. Petitioner is not currently subject to any disciplinary proceedings by any organization with authority at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status): n/a

8. Petitioner has never received public discipline including, but not limited to, suspension or disbarment, by any organization with authority to discipline attorneys at law except as hereinafter provided (give particulars, e.g. court, discipline authority, date, status): n/a

---

9. Petitioner has never had any certificate or privilege to appear and practice before any regulatory administrative body suspended or revoked except as hereinafter provided (give particulars, e.g. date, administrative body, date of suspension or reinstatement): n/a

---

10. Petitioner, either by resignation, withdrawal, or otherwise, has never terminated or attempted to terminate Petitioner's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings except as hereinafter provided; n/a

---

11. Petitioner has filed the following application(s) to appear as counsel under Nevada Supreme Court Rule 42 during the past three (3) years in the following matters: *(do not include Federal Pro Hacs)*

<u>Date of Application</u>	<u>Cause</u>	<u>Title of Court Administrative Body or Arbitrator</u>	<u>Was Application Granted or Denied</u>
None	None	n/a	n/a

(If necessary, please attach a statement of additional applications)

12. Nevada Counsel of Record for Petition in this matter is:

(must be the same as the signature on the NevadaCounsel consent page)

Severin                      Alexis                      Carlson                      9373  
First Name                      Middle Name                      Last Name                      Bar #

who has offices at Kaempfer Crowell Renshaw Gronauer & Fiorentino  
Firm Name/Company

50 West Liberty Street, Suite 900                      Reno                      Washoe  
Street Address                      City                      County

89501                      (775) 852-3900  
Zip Code                      Phone Number

13. The following accurately represents the names and addresses of each party in this matter, WHETHER OR NOT REPRESENTED BY COUNSEL, and the names and addresses of each counsel of record who appeared for said parties:

NAME

MAILING ADDRESS

Matter of Protested Applications

Please

see attached service list

14. Petitioner

agrees to comply with the provisions of Nevada Supreme Court Rule 42(3) and (13) and Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada in accordance with provisions as set forth in SCR 42(3) and (13). Petitioner respectfully requests that Petitioner be admitted to practice in the above-entitled court FOR THE PURPOSES OF THIS MATTER ONLY.

15. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.



I, Severin A. Carlson hereby consent as Nevada Counsel of Record to the  
Print NV Counsel name

designation of Petitioner to associate in this cause pursuant to SCR 42.

DATED this 6<sup>th</sup> day of September, 2011

Severin A. Carlson

Counsel of Record

If this signature is not in blue ink, you have a copy.

STATE OF NEVADA)

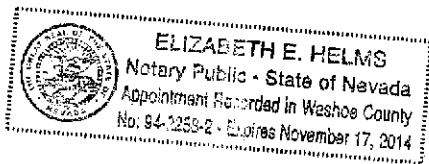
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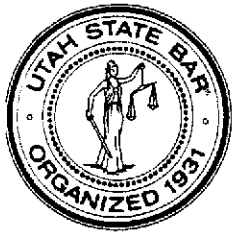
COUNTY OF WASHOE)

Subscribed and sworn to before me

this 6<sup>th</sup> day of Sept, 2011

Elizabeth E. Helms  
Notary Public





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Clerk  
Salt Lake City

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Salt Lake County  
Property Rights Ombudsman  
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Deborah J. Furse  
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James D. Gilson  
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Michael Cullough  
Salt Lake City

Barbara Kay Griffin, CPA  
Public Member  
Bayer Hoffman McCann

Arthur M. Jensen  
Jensen Jensen & Reece  
Salt Lake City

Richard Shaw King  
King & King  
Provo

John R. Lund  
Jensen Christensen &  
Martineau  
Salt Lake City

Norm Olsen  
Willard Anderson & Olsen  
Provo

Robert O. Rice  
Ray Quinney & Nebeker  
Salt Lake City

Thomas W. Seiler  
Robinson Seiler & Anderson  
Provo

August 26, 2011

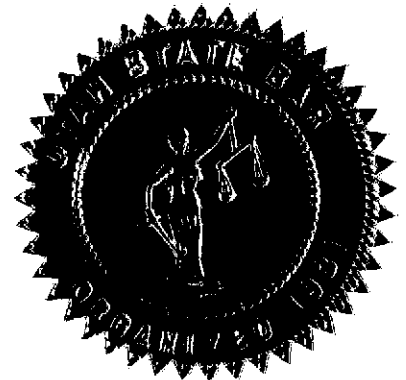
To Whom It May Concern:

Re: **CERTIFICATE OF GOOD STANDING for JUSTIN W. STARR**

This is to certify that **JUSTIN W. STARR**, Utah State Bar No. 10708, was admitted to practice law in Utah on **October 14, 2005** and is an **ACTIVE** member of the Utah State Bar in good standing. "Good standing" is defined as a lawyer who is current in the payment of all Bar licensing fees, has met mandatory continuing legal education requirements, if applicable, and is not disbarred, presently on probation, suspended, or has not resigned with discipline pending, from the practice of law in this state.

No public disciplinary action involving professional misconduct has been taken against the license of **JUSTIN W. STARR** to practice law.

Katherine A. Fox  
General Counsel  
Utah State Bar



**VERIFIED APPLICATION FOR ASSOCIATION  
OF COUNSEL UNDER NEVADA SUPREME COURT RULE 42  
Question 13 – Additional Parties List**

Southern Nevada Water Authority  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153

Dana R. Walsh, Esq.  
SNWA  
1001 S. Valley View Blvd.  
Las Vegas, Nevada 89153  
*Counsel for SNWA*

Paul G. Taggart, Esq.  
108 N. Minnesota Street  
Carson City, Nevada 89703  
*Counsel for SNWA*

Robert A. Dotson, Esq.  
9600 Gateway Drive  
Reno, Nevada 89521  
*Counsel for SNWA*

Steven O. Sims  
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Albuquerque, NM 87102  
*Counsel for SNWA (admitted pro hac vice)*

George Benesch  
190 West Huffaker Lane, Suite 408  
Reno, Nevada 89511  
*Counsel for Nye County*

Henry Vogler  
HC 33, Box 33920  
Ely, Nevada 89301

Kenneth D. Paur  
Assistant Regional Attorney  
U.S. Dept. of Agriculture  
Office of the General Counsel  
507 25<sup>th</sup> Street, Room 205  
Ogden, Utah 84401  
*Representing the U.S.D.A. Forest Service*

Long Now Foundation  
Fort Mason Center, Building A  
San Francisco, CA 94123

Richard Sears  
1963 South 17<sup>th</sup> East HC 10  
Ely, Nevada 89301  
*Representing Richard & Ann Sears*

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County of Millard, Utah  
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Fillmore, UT 84634  
*Representing Millard County*

Mark EchoHawk  
V. Aaron Contreras  
P.O. Box 6119  
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*Representing Confederated Tribes of  
the Goshute Indians, the Duckwater  
Shoshone Tribe, and the Ely  
Shoshone Tribe*

Eskdale Center  
1100 Circle Drive  
Eskdale, Utah 84728

John Rhodes  
County of Juab, Utah  
160 North Main  
Nephi, Utah 84648  
*Representing Juab County*



Simeon Herskovits  
Advocates for Community & Environment  
P.O. Box 1075  
El Prado, NM 87529

*Representing the Great Basin Water Network, Defenders of Wildlife, the County of White Pine and City of Ely, Border Inn, Linda Johnson, League of Women Voters of Salt Lake City, Launce Rake, David Von Seggern, Irwin Baker Edwards, Roderick McKenzie, Lund Irrigation, Debra Whipple, Inyo County, Thomas Baker, Baker GID, 2<sup>nd</sup> Big Springs, Baker Ranches, Craig Baker, Amelia Sonnenberg, Panaca Irrigation, Terrance Steadman, Great Basin Business and Tourism, Govert Basset, Cater-Griffin, Gardener's Quarter Circle, Abigail Johnson, Orvan Maynard, Preston Irrigation, William and Katherine Rountree, Keith Anderson, James & Donna Bath, JoAnne Garrett, Robert Lewis, Toiyabe Chapter of the Sierra Club, Patrick Gloeckner, Kena Gloeckner, Mark Wadsworth, Nevada Farm Bureau, Kristine Fillman, Patrick Fillman, Walter Benoit, Max & Diane Chipman*

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6 53987 THROUGH 53992, INCLUSIVE  
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11 LAKE VALLEY HYDROGRAPHIC BASINS  
(180, 181, 182 AND 184), LINCOLN  
12 COUNTY AND WHITE PINE COUNTY, NEVADA.

13 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE  
14 42 (3) (b)

15 THE STATE BAR OF NEVADA, in response to the application of  
16 Petitioner, submits the following statement pursuant to SCR42(3):

17 SCR42(6)Discretion. The granting or denial of a motion to associate  
18 counsel pursuant to this rule by the court is discretionary. The  
19 court, arbitrator, mediator, or administrative or governmental  
20 hearing officer may revoke the authority of the person permitted to  
21 appear under this rule. Absent special circumstances, repeated  
22 appearances by any person or firm of attorneys pursuant to this rule  
23 shall be cause for denial of the motion to associate such person.

24 (a) **Limitation.** It shall be presumed, absent special  
25 circumstances, and only upon showing of good cause, that  
26 more than 5 appearances by any attorney granted under  
27 this rule in a 3-year period is excessive use of this  
28 rule.

(b) **Burden on applicant.** The applicant shall have the  
burden to establish special circumstances and good cause  
for an appearance in excess of the limitation set forth  
in subsection 6(a) of this rule. The applicant shall set  
forth the special circumstances and good cause in an  
affidavit attached to the original verified application.

1. DATE OF APPLICATION: 9/7/2011

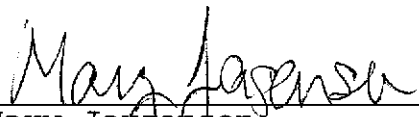
2. APPLYING ATTORNEY: Justin W. Starr, Esq.

1 3. FIRM NAME AND ADDRESS: Kirton & McConkie, 1800 Eagle Gate  
2 Tower, 60 E. South Temple, Salt Lake City, UT 84145

3 4. NEVADA COUNSEL OF RECORD: Severin A. Carlson, Esq., Kaempfer  
4 Crowell Renshaw Gronauer & Fiorentino, 50 W. Liberty Street,  
5 Suite 900, Reno, NV 89501

6 5. There is no record of previous applications for appearance by  
7 petitioner within the past three (3) years.

8 DATED this September 7, 2011

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11 Mary Jorgensen  
12 Member Services Coordinator  
13 Pro Hac Vice Processor  
14 STATE BAR OF NEVADA  
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**IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA**

**IN THE MATTER OF APPLICATIONS )  
53987 THROUGH 53992, INCLUSIVE )  
AND 54003 THROUGH 54021, INCLUSIVE )  
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VALLEY AND DRY LAKE VALLEY )  
HYDROGRAPHIC BASINS (180, 181, 182 )  
AND 184), LINCOLN COUNTY AND )  
WHITE PINE COUNTY, NEVADA. )**

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**ORDER GRANTING MOTION TO ASSOCIATE OUT-OF-STATE COUNSEL**

Fred G. Nelson, Randy T. Austin, Eric C. Olson, Robert Bruce Findlay, and Justin W. Starr, having filed their Motion to Association Counsel under Nevada Supreme Court Rule 42, together with their respective Verified Applications for Association of Counsel, their respective Certificates of Good Standing for the State of Utah, and their respective State Bar of Nevada Statements, said applications having been noticed, no objections having been made, and the State Engineer being fully apprised in the premises, and good cause appearing, it is hereby

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STATE ENGINEERS OF FLA.

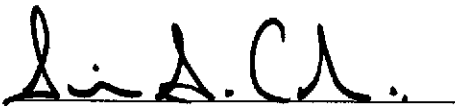
**ORDERED**, that said applications are hereby granted, and Fred. G. Nelson, Randy T. Austin, Eric C. Olson, Robert Bruce Findlay, and Justin W. Starr are hereby admitted to practice before the Office of the State Engineer in the above entitled matter only.

Dated this \_\_\_ day of September, 2011.

---

STATE ENGINEER

Submitted by:



Severin A. Carlson  
Nevada Bar No. 9373  
Kaempfer Crowell  
50 West Liberty Street, Suite 900  
Reno, Nevada 89501  
Tel: (775) 852-3900