

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

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

**SUMMARIES OF REBUTTAL  
WITNESSES' TESTIMONY  
SUBMITTED BY THE SOUTHERN  
NEVADA WATER AUTHORITY  
FOR THE HEARING SCHEDULED  
TO BEGIN ON SEPTEMBER 25, 2017**

COMES NOW, the SOUTHERN NEVADA WATER AUTHORITY (hereinafter referred to as "SNWA"), by and through its attorneys, PAUL G. TAGGART, ESQ., of the law firm of TAGGART & TAGGART, LTD., DANA R. WALSH, ESQ., Deputy Counsel, SOUTHERN NEVADA WATER AUTHORITY, and ROBERT A. DOTSON, ESQ., of the law firm of DOTSON LAW, LTD., and hereby submits its summary of rebuttal witnesses' testimony for the hearing before the State Engineer beginning September 25, 2017, as required by the State Engineer's Notice of Hearing and Interim Order dated November 28, 2016.

In addition to the topics of testimony disclosed on June 30, 2017, by SNWA's initial Summaries of Witnesses' Testimony, the following are summaries of the proposed testimony of SNWA's rebuttal witnesses.

**1. Don Barnett.** Mr. Barnett is President of Barnett Intermountain Water Consulting in Bountiful, Utah. Mr. Barnett may testify in rebuttal to any testimony and evidence regarding calculation of perennial yield, safe yield or sustainable yield. Mr.

Barnett may present rebuttal testimony comparing the methodology used in Nevada and Utah for analyzing the amount of water available for appropriation. He may testify regarding use of the water budget method and groundwater modeling results for capture of evapotranspiration in determining the amount of water available for use. He may testify in direct rebuttal to items including, but not limited to, CPB Exhibit 19; and GBWN/WPC Exhibit 281.

2. **Nancy Beecher.** Dr. Beecher is a Senior Biologist in the SNWA Environmental Resources Division. Dr. Beecher may testify in rebuttal to any testimony or evidence submitted related to environmental resources and tribal cultural resources. She may further testify in rebuttal to any testimony or evidence presented related to monitoring, management, and mitigation for environmental and tribal cultural resources in Spring Valley, Cave Valley, Dry Lake Valley, Delamar Valley, and surrounding basins, including but not limited to determining unreasonable effects, utilization of effective tools for long-term monitoring, establishing quantitative triggers, implementing management and mitigation actions, and determining the effectiveness of those actions. She may testify in rebuttal to any testimony or evidence presented related to plant ecology and plant succession, including but not limited to field investigations and mapping for plant communities in Spring Valley, plant forage productivity, range science, plant ecology, transition times, and effectiveness of restoration activities. She may testify in direct rebuttal to items including, but not limited to, CPB Exhibit 22; GBWN/WPC Exhibit 281; and CTGR Exhibit 18.

3. **Andrew Burns.** Mr. Burns is the Water Resources Division Manager in the SNWA Water Resources Department and was previously a Senior Hydrologist. Mr.

Burns may testify in rebuttal to any testimony or evidence submitted related to hydrologic numerical modeling and conceptual models in Spring, Dry Lake, Delamar and Cave valleys and the White River Flow System. Mr. Burns may present rebuttal testimony regarding capture of evapotranspiration in Spring Valley, as well as other evapotranspiration capture programs in the United States, appropriate usage and updates of the Central Carbonate-Rock Province model, and limitations associated with the model's predictive capability. Mr. Burns may further testify in rebuttal to hydrology, hydrogeology, precipitation, natural recharge, perennial stream flow, aquifer properties, interbasin flows, groundwater occurrence and movement, water resources, storage, transitional storage, calculation of perennial yield, and the groundwater budget. Mr. Burns may testify in rebuttal regarding the total amount of water available in the White River Flow System. He may testify in direct rebuttal to items including, but not limited to, CPB Exhibits 19, 24; and GBWN/WPC Exhibit 281.

**4. Warda Drici.** Ms. Drici is a Hydrologist for the SNWA Water Resources Division. Ms. Drici may testify in rebuttal to any testimony or evidence submitted related to hydrologic numerical modeling and conceptual models in Spring, Dry Lake, Delamar and Cave valleys and the White River Flow System. Ms. Drici may present rebuttal testimony regarding capture of evapotranspiration in Spring Valley, as well as other evapotranspiration capture programs in the United States, appropriate usage and updates of the Central Carbonate-Rock Province model, and limitations associated with the model's predictive capability. Ms. Drici may further testify in rebuttal to hydrology, hydrogeology, precipitation, natural recharge, perennial stream flow, aquifer properties, interbasin flows, groundwater occurrence and movement, water resources, storage, transitional storage,

calculation of perennial yield, and the groundwater budget. She may testify in direct rebuttal to items including, but not limited to, CPB Exhibits 19, 24; and GBWN/WPC Exhibit 281.

**5. Lisa Luptowitz.** Ms. Luptowitz is the Environmental Resources Division Manager for the SNWA Resources and Facilities Department. Ms. Luptowitz may testify in rebuttal to any testimony or evidence presented related to how tribal cultural resources are addressed in federal compliance activities, state and federal environmental compliance activities for the SNWA Clark, Lincoln, and White Pine Counties Groundwater Development Project (“GDP”), and identification of environmental resources. She may further testify in rebuttal to any testimony or evidence presented related to monitoring, management, and mitigation for environmental and tribal cultural resources in Spring Valley, Cave Valley, Dry Lake Valley, Delamar Valley, and surrounding basins, including but not limited to determining unreasonable effects, utilization of effective tools for long-term monitoring, establishing quantitative triggers, implementing management and mitigation actions, and determining the effectiveness of those actions. She may testify in direct rebuttal to items including, but not limited to, CPB Exhibit 22; GBWN/WPC Exhibit 281; and CTGR Exhibit 18.

**6. Zane Marshall.** Mr. Marshall is the Director of the SNWA Resources and Facilities Department and was previously a Senior Biologist. Mr. Marshall may testify in rebuttal to any testimony or evidence presented related to environmental resources and tribal cultural resources. He may further testify in rebuttal to any testimony or evidence presented related to monitoring, management, and mitigation for environmental resources and tribal cultural resources in Spring Valley, Cave Valley, Dry Lake Valley, Delamar

Valley, and surrounding basins, including but not limited to determining unreasonable effects, utilization of effective tools for post-pumping monitoring, establishing quantitative triggers, implementing management and mitigation actions, and determining the effectiveness of those actions. He may testify in rebuttal to any testimony or evidence presented related to plant ecology and plant succession, including but not limited to field investigations and mapping for plant communities in Spring Valley, plant forage productivity, range science, plant ecology, transition times, and effectiveness of restoration activities. He may testify in direct rebuttal to items including, but not limited to, CPB Exhibit 22; GBWN/WPC Exhibit 281; and CTGR Exhibit 18.

7. **Terry McLendon, Ph.D.** Dr. McLendon is a research professor in ecosystem modeling and large-scale watershed dynamics at Texas Tech University. Dr. McLendon has more than 45 years of research and consulting experience in the areas of plant ecology, restoration of disturbed lands, ecological modeling, ecological risk assessment, range and land management, watershed dynamics, and statistical ecology. He may testify in rebuttal to any testimony or evidence presented related to plant ecology and succession, including but not limited to field investigations and mapping for plant communities in Spring Valley, plant forage productivity, range science, plant ecology, transition times, effectiveness of restoration activities, and possible ecological effects associated with groundwater withdrawal related to the SNWA GDP. Dr. McLendon may testify in rebuttal based on his involvement with monitoring, management, and mitigation programs in Owens Valley, California. He may present expert opinions consistent with his report which was admitted during the 2011 hearings as SNWA Exhibit 037. He may testify

in direct rebuttal to items including, but not limited to, CPB Exhibit 22; CTGR Exhibit 18; and GBWN/WPC Exhibits 281 and 291.

**8. James Prieur.** Mr. Prieur is a Senior Hydrologist for the SNWA Water Resources Division. Mr. Prieur may testify in rebuttal to any testimony or evidence presented related to existing water rights and the geologic and hydrogeologic framework in and surrounding Spring Valley, Cave Valley, Dry Lake Valley, and Delamar Valley. He may further testify in rebuttal to any testimony or evidence presented related to monitoring, management, and mitigation for hydrologic resources in this region, including but not limited to determining unreasonable effects, utilization of effective tools for pre- and post-project monitoring, establishing quantitative triggers, implementing management and mitigation actions, and determining the effectiveness of those actions. He may testify in direct rebuttal to items including, but not limited to, CPB Exhibits 19, 22, 24; GBWN/WPC Exhibit 281; and CTGR Exhibit 18.


**9. Michael Stanka, P.E.** Michael Stanka is the President and Senior Engineer of Stanka Consulting, LTD. Mr. Stanka may testify in rebuttal to any testimony or evidence presented related to quantification of existing water rights. He may testify in direct rebuttal to items including, but not limited to, GBWN/WPC Exhibit 281.

**10. James Watrus.** Mr. Watrus is a Senior Hydrologist for the SNWA Water Resources Division. Mr. Watrus may testify in rebuttal to any testimony or evidence presented related to hydrologic numerical modeling and conceptual models in Spring, Dry Lake, Delamar and Cave valleys and the White River Flow System. Mr. Watrus may present rebuttal testimony regarding capture of evapotranspiration in Spring Valley, as well as other evapotranspiration capture programs in the United States, appropriate usage and

updates of the Central Carbonate-Rock Province model, and limitations associated with the model's predictive capability. Mr. Watrus may further testify in rebuttal to hydrology, hydrogeology, precipitation, natural recharge, perennial stream flow, aquifer properties, interbasin flows, groundwater occurrence and movement, water resources, storage, transitional storage, calculation of perennial yield, and the groundwater budget. Mr. Watrus may testify in rebuttal regarding the total amount of groundwater available in the White River Flow System. He may further testify in rebuttal as to quantifying springs as groundwater in the White River Flow System. He may testify in direct rebuttal to items including, but not limited to, CPB Exhibits 19, 24; and GBWN/WPC Exhibit 281.

SNWA witnesses may also testify regarding any exhibit submitted by any party, any document referenced by any witness, as well as the factual basis, conclusions, and opinions provided by the protestant witnesses and protestant rebuttal witnesses. SNWA witnesses may also testify regarding testimony and evidence presented during the 2011 hearings on the SNWA GDP permits. SNWA reserves the right to call any witness from the witness lists submitted by any other party.

Submitted this 10<sup>th</sup> day of August, 2017.

  
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PAUL G. TAGGART, ESQ.  
Nevada State Bar No. 6136  
TAGGART & TAGGART, LTD.  
108 North Minnesota Street  
Carson City, Nevada 89703  
(775) 882-9900 – Telephone  
(775) 883-9900 – Facsimile

DANA R. WALSH, ESQ.  
Nevada State Bar No. 10228  
SOUTHERN NEVADA WATER AUTHORITY  
1001 South Valley View Boulevard  
Las Vegas, Nevada 89153  
(702) 875-7029 – Telephone  
(702) 259-8218 - Facsimile

ROBERT A. DOTSON, ESQ.  
Nevada State Bar No. 5285  
DOTSON LAW  
One East First Street, Sixteenth Floor  
Reno, Nevada 89501  
(775) 501-9400 – Telephone



**CERTIFICATE OF SERVICE**

Pursuant to NAC 533.143(1) and NAC 533.200(4), I hereby certify that I am an employee of the Southern Nevada Water Authority, and that on this date, I served or caused to be served, a true and correct copy of SNWA's SUMMARY OF REBUTTAL WITNESSES' TESTIMONY, REBUTTAL EXHIBIT LIST, and REBUTTAL EXHIBITS, as follows:

By electronic means using a web-based file sharing service pursuant to stipulation of counsel made on April 25, April 27, May 15, and June 22, 2017, as follows:

Severin A. Carlson  
Kaempfer Crowell  
50 West Liberty Street, Suite 700  
Reno, Nevada 89501  
[scarlson@kcnvlaw.com](mailto:scarlson@kcnvlaw.com)

Paul R. Hejmanowski  
Hejmanowski & McCrea LLC  
520 South 4th Street, Suite 320  
Las Vegas, Nevada 89101  
[prh@hmlawlv.com](mailto:prh@hmlawlv.com)

Scott W. Williams  
Berkey Williams, LLP  
2030 Addison Street, Suite 410  
Berkeley, California 94704  
[swilliams@berkeywilliams.com](mailto:swilliams@berkeywilliams.com)

Simeon Herskovits  
Iris Thornton  
Advocates for Community & Environment  
P.O. Box 1075  
El Prado, New Mexico 87529  
[simeon@communityandenvironment.net](mailto:simeon@communityandenvironment.net)  
[iris@communityandenvironment.net](mailto:iris@communityandenvironment.net)

J. Mark Ward  
3004 W. Sweet Blossom Drive  
South Jordan, Utah 84095  
[wardjmark@gmail.com](mailto:wardjmark@gmail.com)

Paul Echo Hawk  
Echo Hawk Law Office  
P.O. Box 4166  
Pocatello, Idaho 83205  
[paul@echohawklaw.com](mailto:paul@echohawklaw.com)

Aaron Waite  
Weinstein, Pinson & Riley P.S.  
6785 S. Eastern Avenue #4  
Las Vegas, Nevada 89119  
[AaronW@w-legal.com](mailto:AaronW@w-legal.com)

John Rhodes  
Rhodes Law Offices, Ltd.  
P.O. Box 18191  
Reno, Nevada 89511  
[johnbrhodes@yahoo.com](mailto:johnbrhodes@yahoo.com)

Jerald Anderson  
EskDale Center  
1100 Circle Drive  
EskDale, Utah 84728  
[geraldanderson@hotmail.com](mailto:geraldanderson@hotmail.com)

DATED this 10<sup>th</sup> day of August, 2017.

  
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Employee of SNWA