

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

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STATE ENGINEERS OFFICE

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)
)
)
)
)

ADDENDUM TO
MOTION TO ALLOW ONE-BUSINESS
DAY LATE FILING DUE TO
EXTRAORDINARY AND
UNFORESEEN CIRCUMSTANCES
ENCOUNTERED WITH OVERNIGHT
COURIER,

OF HARD COPIES OF MILLARD AND
JUAB COUNTIES' PROPOSED RULING
AND CLOSING ARGUMENT ON
SPRING VALLEY REMAND HEARING

As an addendum to the January 22, 2018 motion of Millard and Juab Counties to allow the one-business day late filing of their proposed ruling and closing argument herein due to extraordinary and unforeseen circumstances encountered with overnight courier, movants submit a copy of a January 26, 2018 letter to the undersigned from the overnight courier in question, FedEx, received by the undersigned on today's date, and attached as Exhibit 1 hereto.

The attached FedEx letter speaks for itself and supports the above-referenced motion.

To whatever extent this may not already be implicitly understood, movants request that the above referenced January 22, 2018 motion and this addendum thereto be made part of the administrative record in the above entitled matter.

Respectfully submitted this 26th day of January, 2018.

/s/ J Mark Ward

J. Mark Ward
Balance Resources
Admitted Pro Hac Vice Utah State Bar #4436
3004 W. Sweet Blossom Drive
South Jordan, UT 84095

John B. Rhodes, NV Bar #1353
P.O. Box 18191
Reno, Nevada 89511
Phone (775) 849-2525

Attorneys for Protestants Millard County, Utah
and Juab County, Utah

CERTIFICATE OF SERVICE

I certify that on the 26th day of January, 2018 the original foregoing document and one copy thereof were sent via Federal Express Overnight Courier (for next business day delivery) to Jason King, P.E. Nevada State Engineer State of Nevada Division of Water Resources 901 S. Stewart St., Suite 2002 Carson City, NV 89701, care of hearing officer Susan Joseph-Taylor.

I further certify that on the 26th day of January, 2018 a true and correct electronic PDF copy of the foregoing document was sent to counsel of record and to the hearing officer by email.

/s/ J Mark Ward
J. Mark Ward

Exhibit 1



VIA EMAIL: wardjmark@gmail.com

January 26, 2018

Mr. J. Mark Ward
Balance Resources
3004 W Sweet Blossom Drive
South Jordan, UT 84095

Dear Mr. Ward:

I am writing in regard to your January 18, 2018 shipment to Nevada State Engineer, Division of Water Resources, under package tracking number 789404046193.

Thank you for bringing this matter to our attention. According to our records, this shipment was tendered to FedEx on Thursday, January 18, for delivery by 3:00 p.m. on Friday, January 19. Unfortunately, due to inclement weather, this shipment was not delivered as anticipated. Final delivery of this shipment was recorded at 10:12 a.m. on Monday, January 22, 2018.

Although nothing we can do or say can change the circumstances that have occurred, it is our hope that the information in this letter will help demonstrate to all concerned parties your efforts and intent to arrange the prompt delivery of this shipment as scheduled, and that the circumstances will not be allowed to reflect negatively upon those efforts.

On behalf of FedEx, I sincerely regret any inconvenience caused by this incident, and hope that this information is helpful. We appreciate your patronage and your patience, and hope to have an opportunity in the future to serve your shipping needs.

Respectfully,

A handwritten signature in blue ink, appearing to read "John C. Leek", with a long horizontal flourish extending to the right.

John C. Leek
Customer Correspondent

jcl/681000