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STATE ENGINEERS OFFICE

Attorneys for Applicant National Fish & Wildlife Foundation

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

IN THE MATTER OF APPLICATION 80700
FILED BY THE NATIONAL FISH &
WILDLIFE FOUNDATION

**RENEWED EVIDENCE AND WITNESS
TESTIMONY OUTLINE
IDENTIFICATION OF APPLICATION
NATIONAL FISH & WILDLIFE
FOUNDATION**

As explained in the October 10, 2013, Status Report of Applicant National Fish & Wildlife Foundation (NFWF), NFWF and Protestants Peter Fenili, Richard Nuti and Gary Garms, *et al* (collectively the Bowman Protestants) were unable to resolve the protests of these parties despite repeated best efforts. Accordingly NFWF expects that this protest will be the subject of the hearing beginning on October 28, 2013.

The July 31, 2013 Fourth Amended Notice of Hearing requires the parties, should they not all reach agreement or settlement concerning the protests of Application No. 80700, to provide "reduced witness/exhibit lists" for the evidentiary hearing scheduled for October 28 – November 1, 2013. Because the only remaining protestants are the Bowman Protestants,¹ and NFWF is not aware at the time of this filing what evidence or witnesses the Bowman Protestants

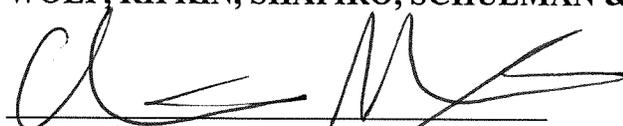
¹ The United States Board of Water Commissioners is still a party, but not a protestant, and NFWF understands the Board will be calling Jim Shaw to testify at the hearing, but will not be seeking the admission of any evidence.

will be designating, NFWF at this time will be relying on all evidence, witnesses and witness testimony outlines already provided.

Once NFWF has received and reviewed the submission from the Bowman Protestants, NFWF will endeavor to promptly supply a reduced witness/exhibit list if appropriate.

Dated October 11, 2013.

WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP



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CERTIFICATE OF MAILING

I certify that I am an employee of the law office of Wolf, Rifkin, Shapiro, Schulman and Rabkin, LLP, and that on this date caused to be served by electronic mail to all attorneys and U.S. mail first class postage prepaid to all others, a true and correct copy of the foregoing

RENEWED EVIDENCE AND WITNESS TESTIMONY OUTLINE IDENTIFICATION OF APPLICATION NATIONAL FISH & WILDLIFE FOUNDATION on the following

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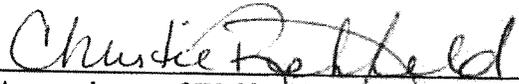
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Dated this 11th day of October, 2013.


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