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STATE OF NEVADA

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Deputy State Engineer

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**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**  
**DIVISION OF WATER RESOURCES**  
**SOUTHERN NEVADA BRANCH OFFICE**  
400 Shadow Lane, Room 201  
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January 23, 2009

Kenneth Albright, P. E.  
Director, Groundwater Resources  
Southern Nevada Water Authority  
100 City Pkwy #700  
Las Vegas, NV 89106-4615

Re: State Engineer's Approval of Spring Valley Biological Plan

Dear Mr. Albright:

On September 8, 2006, a stipulation for the withdrawal of protest was reached between the Southern Nevada Water Authority (SNWA) and the U.S. Department of the Interior on behalf of Bureau of Indian Affairs (BIA), Bureau of Land Management, (BLM), U.S. Fish and Wildlife Service (FWS), and National Park Service (NPS) (DOI Bureaus).

A condition of this stipulation was the establishment of a Spring Valley Biological Monitoring Plan by representatives of multiple agencies known as the Spring Valley Biological Work Group which this office is not a party. Additionally, as part of Ruling No. 5726 in the matter of SNWA's applications to appropriate ground water in the Spring Valley Hydrographic Basin, the State Engineer also required a Biological Monitoring Plan.

The State Engineer's office has reviewed the "Biological Monitoring Plan for the Spring Valley Stipulation" dated January 2009 developed by the Biological Work Group and offers the following. The State Engineer's office finds the Biological Monitoring Plan for the Spring Valley Stipulation dated January 2009 to be comprehensive and compliant with the State Engineer's requirement for the development of a Biological Monitoring

Page 2 of 2  
January 23, 2009

Plan required by Ruling No. 5726. The acceptance of the submitted Biological Monitoring Plan for the Spring Valley Stipulation dated January 2009 required in Ruling No. 5726 is done with the understanding that the State Engineer's Office reserves the right to amend or modify the Biological Monitoring Plan if conditions warrant.

If you have any questions regarding the requested additions, please call the undersigned at (702) 486-2770.

Respectfully submitted,



Robert Coache, P.E.  
Deputy State Engineer

Cc: Tracy Taylor, P.E., State Engineer  
Rick Felling, Chief Hydrologist, Division of Water Resources  
Zane Marshall, Southern Nevada Water Authority  
Laurie Averil-Murray, US Fish & Wildlife Service  
Nancy Beecher, PhD, Southern Nevada Water Authority

RC:tlp