

**BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

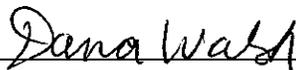
IN THE MATTER OF APPLICATIONS)
53987 THROUGH 53992, INCLUSIVE,)
AND 54003 THROUGH 54021,)
INCLUSIVE FILED TO APPROPRIATE)
THE UNDERGROUND WATERS OF)
SPRING VALLEY, CAVE VALLEY,)
DELAMAR VALLEY AND DRY LAKE)
VALLEY HYDROGRAPHIC BASINS (180,)
181, 182 AND 184), LINCOLN COUNTY)
AND WHITE PINE COUNTY, NEVADA.)

MOTION TO ASSOCIATE COUNSEL

Applicant, Southern Nevada Water Authority, hereby moves the State Engineer for an order permitting Steven O. Sims, Esq. to practice in Nevada pursuant to Nevada Supreme Court Rule 42. This motion is supported by the attached “Verified Application for Association of Counsel” (Exhibit A), “Certificates of Good Standing from New Mexico and Colorado” (Exhibit B), and the “State Bar of Nevada Statement” (Exhibit C).

Dated this 13th day of May, 2011.

Submitted by:



Dana R. Walsh, NV Bar #10228
NV Counsel of Record
Southern Nevada Water Authority
1001 S. Valley View Blvd., MS #485
Las Vegas, Nevada 89153

**BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

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.)

ORDER ADMITTING TO PRACTICE

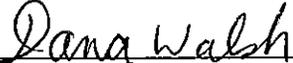
Steven O. Sims, Esq., having filed a Motion to Associate Counsel under Nevada Supreme Court Rule 42, together with a Verified Application for Association of Counsel, Certificates of Good Standing from the State of New Mexico and Colorado, and the State Bar of Nevada Statement, said Application and Motion to Associate having been noticed and the State Engineer being fully apprised in the premises, and good cause appearing, it is hereby

ORDERED, that said Application and Motion to Associate are hereby granted, and Steven O. Sims, Esq., is hereby admitted to practice in front of the State Engineer for the purposes of the above titled matter only.

Dated this ___ day of _____, 2011.

By: _____

Submitted by:



Dana R. Walsh, NV Bar #10228
NV Counsel of Record
Southern Nevada Water Authority
1001 S. Valley View Blvd., MS #485
Las Vegas, Nevada 89153

EXHIBIT A

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

IN THE MATTER OF SOUTHERN NEVADA
WATER AUTHORITY APPLICATION NOS.,
53987 through 53992 AND 54003 through 54021,
FILED TO APPROPRIATE THE
UNDERGROUND WATERS OF THE CAVE
VALLEY, DRY LAKE VALLEY, DELAMAR
VALLEY AND SPRING VALLEY
HYDROGRAPHIC BASINS (180, 181, 182, 184)
LINCOLN COUNTY AND WHITE PINE
COUNTY, NEVADA

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

Steven Owen Sims, Petitioner, respectfully represents:
First Middle Name Last

1. Petitioner resides at 5900 Papaya Place NE
Street Address

Albuquerque, Bernalillo, NM, 87111
City County State Zip Code

(720) 207 - 1305
Telephone

2. Petitioner is an attorney at law and a member of the law firm of: Brownstein Hyatt

Farber Schreck LLP with offices at 201 N. Third Street NW, Suite 1700
Street Address

Albuquerque, Bernalillo, NM, 87102
City County State Zip Code

(505) 244 - 0770
Telephone

3. Petitioner has been retained personally or as a member of the above named law firm by
Southern Nevada Water Authority to provide legal representation in connection with the

above-entitled matter now pending before the above referenced court.

4. Since October of 1979, Petitioner has been, and presently is, a member of good standing of the bar of the highest court of the State of Colorado 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: DATE ADMITTED

<u>United States District Court, District of Colorado</u>	<u>10/09/1979</u>
<u>United States Supreme Court</u>	<u>07/20/2001</u>
<u>United States District Court, Eastern District of California</u>	<u>05/20/2010</u>
<u>New Mexico State Courts</u>	<u>12/09/2009</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 offices 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 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 Granted or Denied</u>
<u>None</u>			

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

Dana R. Walsh, who has offices at
First Name Middle Name Last Name
1001 S. Valley View Blvd., Las Vegas, Clark,
Street Address City County
89153, (702) 875-7080.
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

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

Dana R. Walsh, Esq. 1001 S. Valley View Blvd., Las Vegas NV 89153

Paul G. Taggart, Esq. 108 N. Minnesota St., Carson City, NV 89703

Robert A. Dotson, Esq. 9600 Gateway Dr., Reno, NV 89521

~~Because the protest period for this matter has not yet closed, additional parties have not been identified.~~ See Attached.

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, Steven O. Sims, 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.

I, Dana R. Walsh hereby consent as Nevada Counsel of Record to the designation of Petitioner to associate in this cause pursuant to SCR 42.

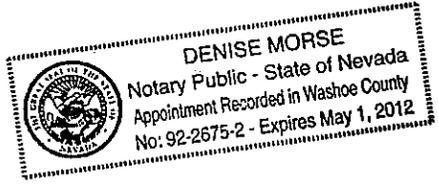
DATED this 10th day of May, 2011

Dana Walsh
Counsel of Record

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

STATE OF Nevada)
COUNTY OF Washoe) ss

Subscribed and sworn to before me
this 10th day of May, 2011.



Denise Morse
Notary Public

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

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

Eskdale Center
1100 Circle Drive
Eskdale, Utah 84728

Richard Sears
1963 South 17th East HC 10
Ely, Nevada 89301

Henry Vogler
HC 33, Box 33920
Ely, Nevada 89301

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

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

Representing Millard County

Representing Juab County

Mark EchoHawk
V. Aaron Contreras
EchoHawk Law Offices
P.O. Box 6119
Pocatello, Idaho 83205

Severin A. Carlson
Kaempfer Crowell Renshaw Gronauer &
Fiorentino
510 West Fourth Street
Carson City, Nevada 89703-4254

*Representing the Confederated Tribes of the Goshute
Indians, the Duckwater Shoshone Tribe, and the Ely
Shoshone Tribe*

*Representing the LDS Church and LDS
Church dba Delmar Cattle*

George Benesch
190 West Huffaker Lane, Suite 408
Reno, Nevada 89511

Representing Nye County

Kenneth D. Paur
Assistant Regional Attorney
United States Department of Agriculture
Office of the General Counsel
507 25th Street, Room 205
Ogden, Utah 84401

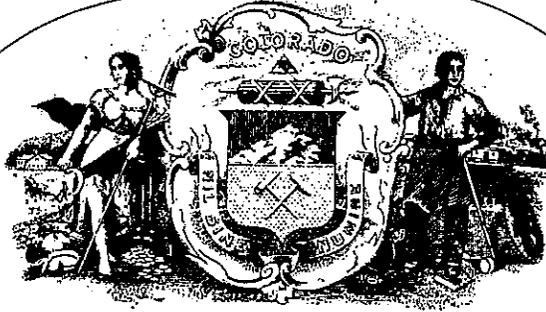
Representing the U.S.D.A. Forest Service

Simeon Herskovits
Advocates for Community & Environment
P.O. Box 1075
El Prado, New Mexico 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, 2nd Big Springs, Baker Ranches, Craig Baker, Amelia Sonnenberg,
Panaca Irrigation, Terrance Steadman, Great Basin Business and Tourism, Govert Basset, Carter-
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*

EXHIBIT B

SUPREME COURT



State of Colorado

STATE OF COLORADO, ss:

I, Susan J. Festag Clerk of the Supreme Court of the State of Colorado, do hereby certify that

STEVEN OWEN SIMS

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 9th day of October A. D. 1979 and that at the date hereof the said STEVEN OWEN SIMS is in good standing at this Bar.



IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

4th day of March A. D. 2011

Susan J. Festag

Clerk

By

Carla Lugo

Deputy Clerk

EXHIBIT C

1 STAT

2
3 BEFORE THE STATE ENGINEER, STATE OF NEVADA
4 DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
5 DIVISION OF WATER RESOURCES

6 IN THE MATTER OF
7 Southern Nevada Water
8 Authority Application No.'s
9 53987 through 53992
/

10 STATE BAR OF NEVADA STATEMENT PURSUANT TO SUPREME COURT RULE
11 42 (3) (b)

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

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

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

26 (b) **Burden on applicant.** The applicant shall have the
27 burden to establish special circumstances and good cause
28 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: 3/15/2011

2. APPLYING ATTORNEY: Steven Owen Sims, Esq.

3. FIRM NAME AND ADDRESS: Brownstein Hyatt Farber Schreck, LLP,
201 N. Third Street NW, Suite 1700, Albuquerque, NM 87102

1 4. NEVADA COUNSEL OF RECORD: Dana R. Walsh, Esq., Las Vegas Valley
2 Water District, 1001 S. Valley View Blvd. , Las Vegas, NV 89153

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

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6 DATED this May 11, 2011

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9 Mary Jorgensen
10 Member Services Coordinator
11 Pro Hac Vice Processor
12 STATE BAR OF NEVADA
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CERTIFICATE OF SERVICE

I 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 the MOTION TO ASSOCIATE COUNSEL, as follows:

By **U.S. POSTAL SERVICE:** I deposited for mailing in the United States Mail, with postage prepaid, an envelope containing the above-identified document, at Las Vegas, Nevada, in the ordinary course of business, addressed as follows:

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

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

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

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

Mark EchoHawk
V. Aaron Contreras
EchoHawk Law Offices
P.O. Box 6119
Pocatello, Idaho 83205

Kenneth D. Paur
Assistant Regional Attorney
United States Department of Agriculture
Office of the General Counsel
507 25th Street, Room 205
Ogden, Utah 84401

Severin A. Carlson
Kaempfer Crowell Renshaw Gronauer &
Fiorentino
510 West Fourth Street
Carson City, Nevada 89703-4254

Eskdale Center
1100 Circle Drive
Eskdale, Utah 84728

George Benesch
190 West Huffaker Lane, Suite 408
Reno, Nevada 89511

Henry Vogler
HC 33, Box 33920
Ely, Nevada 89301

Richard Sears
1963 South 17th East HC 10
Ely, Nevada 89301

DATED this 13th day of May, 2011.


Employee of SOUTHERN NEVADA
WATER AUTHORITY