

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)

CONFEDERATED TRIBES OF
THE GOSHUTE RESERVATION

INITIAL EVIDENTIARY
EXCHANGE

CTGR 'S EXHIBITS 008
DATE: _____

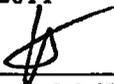
Pursuant to the April 1, 2011 Notice of the Chief, Hearings Section, the Confederated Tribes of the Goshute Reservation submits their initial evidentiary exchange, which includes the following:

1. Exhibit List
2. Witness List
3. Summary of Testimony of Gavin Noyes and Exhibit
4. Summary of Testimony of Thomas Myers, Ph.D. and Expert Witness Report
5. Summary of Testimony of Milton Hooper
6. Summary of Testimony of Ed Naranjo and Exhibit
7. Summary of Testimony of Charlene Pete and Exhibit
8. Summary of Testimony of Sylvester Lahren, Jr. , Ph.D.
9. Summary of Testimony of Rupert Steele
10. CTGR_EXH_001 Map Reflecting Goshute Land Use Areas
11. CTGR_EXH_002 Reservations School Children's Book *Aipimpa* by Ibapah Elementary Students and Staff
12. CTGR_EXH_003 *Water Quality Assessment Report for the Goshute Reservation (2010)* by Goshute Environmental Protection Department (December 8, 2010)
13. CTGR_EXH_004 Statement of Qualifications of Sylvester Lahren, Jr., Ph.D.
14. CTGR_EXH_005 Expert Report: *A Shoshone Goshute Traditional Cultural Property and Cultural Landscape, Spring Valley, Nevada* by Sylvester L. Lahren, Jr. Ph.D.

15. CTGR_EXH_006 Statement of Qualifications of Tom Myers, Ph.D.
16. CTGR_EXH_007 *Hydrology of Spring Valley and Surrounding Areas, Part A: Conceptual Flow Model; Part B Groundwater Model of Snake and Spring Valleys, and Surrounding Areas; Part C: Impacts of Pumping Underground Water Right Applications #54003 through 54021; Hydrology of Cave, Dry Lake and Delamar Valleys-Impacts of Pumping Underground Water Right Applications #53987 through 53992* by Thomas Myers, Ph.D.; and *USGS Sustainability of Ground-water Resources*

Dated: June 29, 2011

Signed: _____


Aaron M. Waite

The Cooper Castle Law Firm, LLP
5275 South Durango Drive
Las Vegas, Nevada 89113
Email: awaite@ccfirm.com

Counsel to Confederated Tribes of the Goshute Reservation

CERTIFICATE OF SERVICE

I hereby certify that on this ^{30th} day of June, 2011, a true and correct copy of the foregoing INITIAL EVIDENTIARY EXCHANGE, with listed documents, was served on the following counsel of record by depositing the same for mailing by overnight mail, postage prepaid, addressed to the following:

Dana Walsh
Southern Nevada Water Authority
1001 S. Valley View Blvd. MS#485
Las Vegas, Nevada 89153

EskDale Center
Jerald Anderson
1100 Circle Drive
EskDale, Utah 84728

Great Basin Water Network and Protestants
2nd Big Springs Irrigation Company, et al.
Simeon Herskovits
Advocates for Community and Environment
P.O. Box 1075
El Prado, New Mexico 87529

U.S. Department of Agriculture
Forest Service
Jeanne A. Evenden
324 25th Street
Ogden, Utah 84401

Richard W. and Lesley Ann Sears
1963 South 17th East HC 10
Ely, Nevada 89301

Henry C. Vogler IV
HC 33 Box 33920
Ely, Nevada 89301

Long Now Foundation
Laura Welcher
Director of Operations
Fort Mason Center
Building A
San Francisco, California 94123

Nye County
George Benesch
190 W. Huffaker Lane, Suite 408
Reno, Nevada 89511-2092

Juab County and Millard County, Utah
J. Mark Ward
Utah Association of Counties
5397 Vine Street
Murray, Utah 84107

Corporation of the Presiding Bishop of the
Church of Jesus Christ of Latter-day Saints
Severin A. Carlson
Kaempher Crowell, Renshaw, Gronauer &
Fiorentino
510 W. Fourth Street
Carson City, Nevada 89703



EchoHawk Law Offices

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**CONFEDERATED TRIBES OF
THE GOSHUTE RESERVATION**

**SUMMARY OF TESTIMONY OF
MILTON HOOPER**

Pursuant to the April 1, 2011 Notice of the Chief, Hearings Section, the Confederated Tribes of the Goshute Reservation submits the attached summary of the testimony of its witness, Milton Hooper.

Dated: June 29, 2011

Signed: _____

Aaron M. Waite

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5275 South Durango Drive
Las Vegas, Nevada 89113
Email: awaite@ccfirm.com

Counsel to Confederated Tribes of the Goshute Reservation

Milton Hooper

Mr. Hooper will testify generally as follows. He is a member of the Confederated Tribes of the Goshute Reservation, and a former elected member of Tribal government. He is familiar with the Goshute Tribes' culture, land use, traditions and history. He is aware generally of the application of Southern Nevada Water Authority for permits to withdraw water from wells to be drilled in Spring Valley and adjacent areas.

Spring Valley is near, and southwest of the Goshute Reservation. It is within the Goshute and Shoshone peoples' aboriginal lands. The landscape and resources of Spring Valley are an integral part of Goshute history. Goshute and Shoshone people have lived in Spring Valley at various times since time immemorial. Spring Valley is a lush area with unique ecosystems of significance to the Indian people on the Goshute Reservation. The Valley is a place to which Goshute people still travel to engage in traditional gathering, hunting, and ceremonial practices. Spring Valley is known to contain the burial sites of Goshute and Shoshone people.

Goshute people historically moved from place to place depending upon the season and available game, pine nuts, berries, and other foods. Goshutes feel a tie to the resources which sustain them. There are principles of stewardship or conservation which Goshutes honor: (1) take no more than you need, (2) leave enough for others who follow, (3) allow the resources to renew themselves. These principles apply to water resources, which has the highest priority for protection as one of the most valued resources. Goshute people have ceremonies for water, which include blessings, the giving of thanks, and prayers for its continual supply. If groundwater and surface waters in Spring Valley are depleted, the balance between Indian people and the natural world would be disrupted. The connection between Goshute and Shoshone people and the resources that sustain them will be broken if water is depleted.

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**CONFEDERATED TRIBES OF
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**SUMMARY OF TESTIMONY OF
RUPERT STEELE**

Pursuant to the April 1, 2011 Notice of the Chief, Hearings Section, the Confederated Tribes of the Goshute Reservation submits the attached summary of the testimony of its witness, Rupert Steele.

Dated: June 29, 2011

Signed: _____


Aaron M. Waite

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5275 South Durango Drive
Las Vegas, Nevada 89113
Email: awaite@ccfirm.com

Counsel to Confederated Tribes of the Goshute Reservation

Rupert Steele

Mr. Steele will testify generally as follows. He is a member of the Confederated Tribes of the Goshute Reservation, a Tribal elder and a former elected Chairman of the Tribes. He has lived on the Goshute Reservation for approximately 40 years. He is familiar with the Goshute Tribes' culture, land use, traditions and history. He is aware generally of the application of Southern Nevada Water Authority for permits to withdraw water from wells to be drilled in Spring Valley and adjacent areas.

Spring Valley is near, and southwest of the Goshute Reservation. It is within the Goshute and Shoshone peoples' aboriginal lands. Spring Valley is a substantial part of Goshute history. There are areas in Spring Valley that Goshute people still use for sustenance. Spring Valley is a very important and sacred place to Goshute people. Goshute and Shoshone ancestors are buried there. Chiefs are buried there. Burial places may not be disturbed; drilling wells, building pipelines, and reducing the flow of water in the Valley are all forms of disturbance. Prayer sites, medicinal plants, and nuts, berries and other foods are in Spring Valley. Spring Valley was home to villages, encampments and fandango sites where Western Shoshone and Goshute ancestors lived, hunted, gathered and traded. Tribal religion was also practiced there. This history links the Goshute and Western Shoshone people to Spring Valley and forms part of their cultural identity.

As few as 25-30 years ago, many people on the Goshute Reservation had no running water or electricity. Water was seen as precious. It is still viewed that way. Goshutes have ceremonies surrounding water. Women give thanks for water; because women have a special connected to Mother Earth. Goshute people have a duty to protect resources including water. Water is blood; it is life. To Goshute people it is not a commodity.

If withdrawals from Spring Valley are approved, and if the Tribes' hydrologist is correct in predicting the loss of springs, creeks, and other reductions in water in Spring Valley, there will be adverse affects on the Tribes and their culture. Big game migrate throughout these mountains. Loss of water resources will affect the big game. One of the Tribe's only sources of cash income for Tribal members is its big game hunting enterprise. Grazing permits are a second source.

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**CONFEDERATED TRIBES OF
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SUMMARY OF TESTIMONY OF
THOMAS MYERS, Ph.D. AND
EXPERT WITNESS REPORT

Pursuant to the April 1, 2011 Notice of the Chief, Hearings Section, the Confederated Tribes of the Goshute Reservation submits the attached summary of the testimony of its witness, Thomas Myers, Ph.D.

Dated: June 29, 2011

Signed: _____


Aaron M. Waite

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5275 South Durango Drive
Las Vegas, Nevada 89113
Email: awaite@ccfirm.com

Counsel to Confederated Tribes of the Goshute Reservation

Thomas Myers, Ph.D., Hydrologic Consultant

Dr. Myers will testify to his qualifications as an expert witness consistent with the curriculum vitae attached. Dr. Myers was retained by the Confederated Tribes of the Goshute Reservation as well as Great Basin Water Network, and will testify on behalf of both.

Dr. Myers will testify consistent with the expert witness report attached, *Hydrogeology of Spring Valley and Surrounding Areas, Part A: Conceptual Flow Model, Part B: Groundwater Model of Snake and Spring Valleys, and Surrounding Areas, and Part C: Impacts of Pumping Underground Water Right Applications #54002 Through 54021*, dated June 17, 2011. The summary of Dr. Myers' testimony provided by Great Basin Water Network is adopted and incorporated here.

The Confederated Tribes do not repeat here the statements made in Dr. Myers' expert witness report, the basis of his testimony. In summary, Dr. Myers will testify that if the applications are approved and if SNWA withdraws the water it seeks, there will be substantial drawdown of groundwater levels, reduction of discharge in springs, and adverse effects upon wetland evapotranspiration. The effects will spread to adjoining valleys, in that the drawdown of groundwater in Spring Valley will draw water from, or prevent groundwater from reaching adjacent valleys. The adverse impacts on adjacent basins is substantial. Dr. Myers predicts that adjacent basins, Tippett Valley, Snake Valley, Steptoe Valley, and Lake Valley will suffer discharges to Spring Valley in consequence of groundwater pumping in Spring Valley. Within Spring Valley, groundwater pumping will decrease discharge from existing springs, and in some cases, cause springs to go dry and remain dry even after pumping ceases. Existing wetlands in Spring Valley will become substantially dry.

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**CONFEDERATED TRIBES OF
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**SUMMARY OF TESTIMONY OF
ED NARANJO AND EXHIBIT**

Pursuant to the April 1, 2011 Notice of the Chief, Hearings Section, the Confederated Tribes of the Goshute Reservation submits the attached summary of the testimony of its witness, Ed Naranjo.

Dated: June 29, 2011

Signed: _____


Aaron M. Waite

The Cooper Castle Law Firm, LLP
5275 South Durango Drive
Las Vegas, Nevada 89113
Email: awaite@ccfirm.com

Counsel to Confederated Tribes of the Goshute Reservation

Ed Naranjo

Mr. Naranjo will testify generally as follows. He is a member of the Confederated Tribes of the Goshute Reservation, and is presently the Tribal Administrator, the chief administrative officer of the Tribes, responsible for all operations of Tribal government. Tribal members are not wealthy people; there are few job opportunities on the Reservation. He is familiar with the Goshute Tribe's culture, traditions and history. He is aware generally of the application of Southern Nevada Water Authority for permits to withdraw water from wells to be drilled in Spring Valley.

Water has always held a place of importance in the lives of Goshute people and in their spiritual lives. The tradition in his family was to bless water before every meal. It is the life blood of people, the blood of mother earth. There are dances, songs and ceremonies associated with water. The Tribes have taken actions under their sovereign authority to protect the water resources on and near their Reservation.

Goshute people use Spring Valley today. The water within the Valley is necessary to preserve the Valley's resources, and Goshute Tribes' involvement in these proceedings is an aspect of the Tribes' duty to protect its resources.

The loss of any portion of the Goshute Tribes' water resources would have an adverse impact upon the Tribes' economic development activities. Solar and wind projects, livestock, a fish hatchery, small-scale hydroelectric projects, and the Bucks and Bulls big game hunting operations all would be rendered less viable.

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**CONFEDERATED TRIBES OF
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**SUMMARY OF TESTIMONY OF
GAVIN NOYES AND EXHIBIT**

Pursuant to the April 1, 2011 Notice of the Chief, Hearings Section, the Confederated Tribes of the Goshute Reservation submits the attached summary of the testimony of its witness, Gavin Noyes.

Dated: June 29, 2011

Signed: _____

Aaron M. Waite

The Cooper Castle Law Firm, LLP
5275 South Durango Drive
Las Vegas, Nevada 89113
Email: awaite@ccfirm.com

Counsel to Confederated Tribes of the Goshute Reservation

Gavin Noyes

Mr. Noyes is the Utah Project Director of Round River Conservation Studies. Mr. Noyes will testify that the map attached as an exhibit here, was produced under his direction. He will testify that the map accurately depicts the aboriginal territory of the Confederated Tribes of the Goshute Reservation, and the areas which are used today by people of the Goshute Reservation for traditional hunting, gathering, and ceremonial purposes. Mr. Noyes will testify that the map accurately depicts information gathered by him, or under his supervision, from interviews of Goshute Reservation elders and residents.

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**CONFEDERATED TRIBES OF
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**SUMMARY OF TESTIMONY OF
CHARLENE PETE AND EXHIBIT**

Pursuant to the April 1, 2011 Notice of the Chief, Hearings Section, the Confederated Tribes of the Goshute Reservation submits the attached summary of the testimony of its witness, Charlene Pete.

Dated: June 29, 2011

Signed: _____


Aaron M. Waite

The Cooper Castle Law Firm, LLP
5275 South Durango Drive
Las Vegas, Nevada 89113
Email: awaite@ccfirm.com

Counsel to Confederated Tribes of the Goshute Reservation

Charlene Pete

Ms. Pete will testify generally as follows. She is a member of the Confederated Tribes of the Goshute Reservation, and presently resides on the Reservation, having moved there from Los Angeles, CA. She is employed as a teacher's aid in the school on the Reservation. The school children prepared a book about water in both languages, Shoshone and English. She has learned about the Goshute Tribes' culture, traditions and history as child in California, and as a resident of the Reservation. She is aware generally of the application of Southern Nevada Water Authority for permits to withdraw water from wells to be drilled in Spring Valley.

Goshute and Western Shoshone people have a powerful sense of "home." Though raised in California, Ms. Pete felt drawn to the Reservation and the Great Basin. Many of the Goshute people who live on the Reservation do not know how to live outside of the Reservation. Goshute people have always traveled from place to place, from one camp to another seeking food and shelter. Today, Goshute people leave the Reservation for jobs; but they always come back. If the water dried up, there would be no place for these people to go.

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**CONFEDERATED TRIBES OF
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**SUMMARY OF TESTIMONY OF
SYLVESTER LAHREN, JR.,
Ph.D. and EXPERT WITNESS
REPORT**

Pursuant to the April 1, 2011 Notice of the Chief, Hearings Section, the Confederated Tribes of the Goshute Reservation submits the attached summary of the testimony of its witness, Sylvester Lahren, Jr., Ph.D.

Dated: June 29, 2011

Signed: _____


Aaron M. Waite

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5275 South Durango Drive
Las Vegas, Nevada 89113
Email: awaite@ccfirm.com

Counsel to Confederated Tribes of the Goshute Reservation

Sylvester L. Lahren, Jr., Ph.D.

Dr. Lahren will testify to his qualifications as a cultural anthropologist consistent with the attached curriculum vitae.

Dr. Lahren will testify that in August, 2010, he prepared the attached expert witness report entitled *A Shoshone/Goshute Traditional Cultural Property and Cultural Landscape, Spring Valley, Nevada*. He will testify, consistent with the report, to the manner in which he gathered the information, and to the opinions he formed on the basis of the information. This summary of his testimony does not repeat the statements made in his report.

In general, Dr. Lahren will testify that Western Shoshone/Goshute people occupied Spring Valley prior to the arrival of non-Indians, and continued to occupy and utilize the resources of Spring Valley after the invasion of non-Indians. The Valley supported at one time sixteen villages. The Valley was a place of significance to Indian people because of the abundance of water, pine nuts, antelope, deer, rabbit and mud hens, and other food sources. There were, and are today, spiritual and religious practices associated with subsistence gathering and hunting; Western Shoshone/Goshute people believed that all things had a spiritual base. Ceremonies, which came to be called "fandangos" after the arrival of non-Indians, took place at several locations within Spring Valley; these festivals celebrated the union of the spiritual and physical worlds, and provided an opportunity to give thanks for the great resources of Spring Valley.

Spring Valley became a place of conflict between Indians and non-Indians in the middle of the 19th Century. Indian people were massacred. The Valley is a place of burial sites, all of which are sacred.

Spring Valley continues to be a place of significance to Western Shoshone/Goshute people who go there for religious purposes, and for hunting and gathering.

CONFEDERATED TRIBES OF THE GOSHUTE RESERVATION

EXHIBIT LIST

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

HEARING DATE: Scheduled for September 26, 2011 through October 14, 2011, and October 31, 2011 through November 18, 2011

No.	Title	Off.	Ad.
CTGR_EXH_001	Map Reflecting Goshute Land Use Areas		
CTGR_EXH_002	Reservations School Children's Book <i>Aipimpa</i> by Ibapah Elementary Students and Staff		
CTGR_EXH_003	<i>Water Quality Assessment Report for the Goshute Reservation (2010)</i> by Goshute Environmental Protection Department (December 8, 2010)		
CTGR_EXH_004	Statement of Qualifications of Sylvester Lahren, Jr., Ph.D.		
CTGR_EXH_005	Expert Report: <i>A Shoshone Goshute Traditional Cultural Property and Cultural Landscape, Spring Valley, Nevada</i> by Sylvester L. Lahren, Jr. Ph.D.		
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