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

IN THE MATER OF APPLICATION
NOS., 53987 through 53992, INCLUSIVE,
FILED BY SOUTHERN NEVADA WATER
AUTHORITY TO APPROPRIATE THE
UNDERGROUND WATERS OF THE
CAVE VALLEY, DRY LAKE VALLEY,
AND DELAMAR VALLEY
HYDROGRAPHIC BASINS
(108, 181, 182)
LINCOLN COUNTY, NEVADA VALLEY

EXHIBIT LIST OF SOUTHERN NEVADA WATER AUTHORITY FOR HEARING ON FEBRUARY 4, 2008

COMES NOW, SOUTHERN NEVADA WATER AUTHORITY, by and through its attorneys, PAUL G. TAGGART, ESQ., of the law firm of TAGGART & TAGGART, LTD., and MICHAEL VAN ZANDT, ESQ., of the law firm MCQUAID BEDFORD & VAN ZANDT LLP., and submits its exhibit list for the hearing to be conducted by the State Engineer beginning February 4, 2008.

Submitted this 4 day of November, 2007

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# NO. EXHIBIT DESCRIPTION 201 Witness List 202 **Exhibit List** 203 Application 53987 204 Application 53988 205 Application 53989 206 Application 53990 207 Application 53991 208 Application 53992 209 Protest to Application 53987 U.S. Bureau of Land Management; Robert C. Lewis; Dorothy M. Thompson; Las Vegas Fly Fishing Club; County of Inyo, California; Steven W. Klomp; Vernal J. Mortensen and Chester R. Johnson d.b.a. Sunnyside Ranch; Preston Irrigation Company; City of Caliente; Nevada Cattlemen's Association, Eastern Unit; Sheila Hunt; Roger W. Ashby; Barbara L. Bradshaw; Carter-Griffin Inc., d.b.a. Carter Cattle Co., Gardner's Quarter Circle 5 Ranch; Mary S. Hager; Elma Harris; Lund Irrigation and Water Co.; County of White Pine and City of Ely; Moapa Band of Paiute Indians; U.S. Fish and Wildlife Service; County of Nye; Frank Lloyd; Mick Lloyd; U.S. National Park Service; Roy W. Wilcox; Unincorporated Town of Pahrump, and Bureau of Indian Affairs on behalf of Ely Shoshone Tribe 210 Protest to Application 53988 Citizen Alert; U.S. Bureau of Land Management; Robert C. Lewis; Dorothy Bicknell; Jack R. Cooper; Virginia Kreimeyer; John M. Wadsworth; Lois H. Conklin; County of Inyo, California; Torrie O. Klomp; Toiyabe Chapter of the Sierra Club; Vernal J. Mortensen and Chester R. Johnson d.b.a. Sunnyside Ranch; Preston Irrigation Company; City of Caliente; Nevada Cattlemen's Association, Eastern Unit; Robert L. Birch; Barbara L. Bradshaw; Carter-Griffin Inc., d.b.a. Carter Cattle Co.; Ely Shoshone Tribe; Beverly R. Gaffin; Mary C. Katschke; Debra W. Lani (now Whipple); Lund Irrigation and Water Co.; John Maio; Alex Nickell; Willard A. Phillips; County of White Pine and City of Ely; Moapa Band of Paiute Indians; U.S. National Park Service; Unincorporated Town of Pahrump, and Bureau of Indian Affairs on behalf of Ely Shoshone Tribe

- Protest to Application 53989 U.S. Bureau of Land Management; Anthony Wells; Frank C. Hulse; Yvonne Stackhouse; Renee Vincent; Richard Vincent; Steve T. Sendlein; John M. Wadsworth; Candy Haley; City of Caliente; Wilford L. Cantrell; Lillian E. Edwards; James I. Lee; County of White Pine and City of Ely; Moapa Band of Paiute Indians; U.S. Fish and Wildlife Service; County of Nye; Frank Delmue; William G. Schoenberg; Mary Smith; U.S. National Park Service; James R. Prince; and Unincorporated Town of Pahrump
- Protest to Application 53990 Citizen Alert; U.S. Bureau of Land Management; Reion Lee; Grace Wallis; Alex P. Coroneos and Steve T. Sendlein; Jack E. Cupples; Kathryn J. Miller; John M. Wadsworth; Richard J. Walters; Ruby Walters; County of Inyo, California; City of Caliente; Ely Shoshone Tribe; James I. Lee; Lund Irrigation and Water Co.; County of White Pine and City of Ely; Moapa Band of Paiute Indians; U.S. Fish and Wildlife Service; County of Nye; Frank Delmue; Karl and Gerry Hanning; Genevieve D. Logan; U.S. National Park Service; and Unincorporated Town of Pahrump
- Protest to Application 53991 Wess D. Mecham; George T. Rowe; Rosemary Maxwell; U.S. Bureau of Land Management; Helen Barton; Marian Lawrence; Stanley L. Wallis; County of Inyo, California; Pahrahagat Valley Joint Services Board; Glenn Van Roekel; Town of Alamo Water and Sewer Board; City of Caliente; Joseph C. Fox;, Jr.; Wesley A. Holt; County of White Pine and City of Ely; Moapa Band of Paiute Indians; U.S. Fish and Wildlife Service; County of Nye; U.S. National Park Service; Unincorporated Town of Pahrump; and Frank R. Wheeler
- Protest to Application 53992 U.S. Bureau of Land Management; Mariba Singleton; Charlotte M. Wallis; John M. Wadsworth; County of Inyo, California; Rose DeVuono; City of Caliente; Cortney Dahl d.b.a. Delamar Valley Cattle; Ely Shoshone Tribe; Wesley A. Holt; Lund Irrigation and Water Co.; County of White Pine and City of Ely; Moapa Band of Paiute Indians; U.S. Fish and Wildlife Service; County of Nye; U.S. National Park Service; and Unincorporated Town of Pahrump
- Letter dated March 22, 1990 to Christine Thiel from Ross D. de Lipkau
- 216 Intermediate Order No. 1 and Hearing Notice dated October 4, 2007
- 217 Stipulation to Admit Documents from Spring Valley Hearing dated September 28, 2007
- 218 Summary of Protests to DDC Applications
- Hearing Request Letter dated June 29, 2007

# **EXHIBIT** NO. EXHIBIT DESCRIPTION Notice of Pre-Hearing Conference dated July 13, 2007 220 221 Letter dated August 27, 2007 to Tracy Taylor from John Entsminger 222 Hearing Transcript from the Pre-Hearing Conference on August 28, 2007 223 Letter September 19, 2007 to Tracy Taylor from George Benesch 224 Letter September 21, 2007 to Susan Joseph-Taylor from Steve Palmer 225 Summary of Protest Issues submitted by Advocates for Community and Environment dated September 21, 2007 226 Withdrawal of Protest by Lincoln County dated July 15, 2003 227 Resume of Kayrene Brothers 228 Resume of Kenneth Albright 229 Resume of John Entsminger 230 Resume of Andrew Burns 231 Resume of Gary Dixon 232 Resume of James Watrus 233 Resume of Jim Thomas 234 Curriculum Vitae of Zane Marshall 235 Resume of Michael Turnipseed 236 Water-Resources Assessment and Hydrogeologic Report for Cave, Dry Lake, and Delamar Valleys 237 Geology of White Pine and Lincoln Counties and Adjacent Areas, Nevada and Utah: The Geologic Framework of Regional Groundwater Flow Systems 238 Stable Isotope Evaluation of Water Budgets for the White River and Meadow Valley Wash Regional Groundwater Flow Systems in East-Central and Southeastern Nevada 239 Biological Resources for Cave, Dry Lake, and Delamar Valleys

EXHIBIT NO.	EXHIBIT DESCRIPTION
240	Special Hydrologic Report
241	Land Use Assessment for Cave, Dry Lake, and Delamar Valleys
242	Geologic Data Analysis Report for Monitor Well 182W906M in Delamar Valley by Harvey S. Eastman (2007a)
243	Geologic Data Analysis Report for Monitor Well 182M-1 in Delamar Valley by Harvey S. Eastman (2007b)
244	Geologic Data Analysis Report for Monitor Well 180W902M in Cave Valley by Harvey S. Eastman (2007c)
245	Geologic Data Analysis Report for Monitor Well 180W501M in Cave Valley by Harvey S. Eastman (2007d)
246	Geologic Data Analysis Report for Monitor Well 181M01 in Dry Lake Valley by Harvey S. Eastman (2007e)
247	Geologic Data Analysis Report for Monitor Well 209M-1 in Pahranagat Valley by Harvey S. Eastman (2007f)
248	Geologic Data Analysis Report for Monitor Well 181W909M in Dry Lake Valley by Harvey S. Eastman (2007g)
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# **EXHIBIT** NO. EXHIBIT DESCRIPTION 321 Wildland International, 2007, Groundwater Development Project: Terrestrial Biological Findings Report for Sensitive Plants and Wildlife in the Great Basin and 13.6-Mile Segment in the Mojave Desert, prepared for the Southern Nevada Water Authority. 322 Spring Valley Exhibit No. 63 - Stipulation for Withdrawal of Protests dated September 8, 2007 323 INTENTIONALLY OMITTED 324 Spring Valley Exhibit No. 511 - Southern Nevada Water Authority 2006 Water Resource Plan 325 **INTENTIONALLY OMITTED** 326 INTENTIONALLY OMITTED 327 INTENTIONALLY OMITTED 328 INTENTIONALLY OMITTED 329 Spring Valley Exhibit No. 633 - Water Resources Data Nevada Water Year 1984 330 Spring Valley Exhibit No. 634 - Water Resources Data Nevada Water Year 1985 331 Spring Valley Exhibit No. 642 - Carbonate Terrain Study Memo dated August 3, 1984 332 Spring Valley Exhibit No. 648 - Nevada State Engineer Ruling 4151 333 Spring Valley Exhibit No. 657 - Nevada State Engineer Ruling 3280 334 INTENTIONALLY OMITTED 335 2007 Nevada Laws Ch. 429 (S.B. 274) Nevada 2007 Session Laws Regular Session of the 74th Legislature 336 Public Law 108-424 dated November 30, 2004, cited as Lincoln County Conservation, Recreation, and Development Act of 2004 337 State Engineer Order No. 1169, dated March 8, 2002 338 State Engineer Ruling 4515, dated March 19, 1997

# **EXHIBIT** NO. **EXHIBIT DESCRIPTION** 339 State Engineer Ruling 4525, dated May 9, 1997 340 State Engineer Ruling 4542, dated June 19, 1997 341 State Engineer Ruling 4545, dated July 2, 1997 342 State Engineer Ruling 4601, dated February 2, 1998 343 State Engineer Ruling 4641, dated June 12, 1998 344 State Engineer Ruling 4660, dated August 25, 1998 345 State Engineer Ruling 4836, dated January 11, 2000 346 State Engineer Ruling 5008, dated March 20, 2001 347 State Engineer Ruling 5115, dated April 18, 2002 348 State Engineer Ruling 5132, dated June 12, 2002 349 State Engineer Ruling 5181, dated November 26, 2002 350 State Engineer Ruling 5191, dated December 12, 2002 351 State Engineer Ruling 5194, January 7, 2003 352 State Engineer Ruling 5429A, November 15, 2006 353 State Engineer Ruling 5465, dated January 4, 2005 354 State Engineer Ruling 5491, dated June 21, 2005 355 State Engineer Ruling 5506, dated September 9, 2005 356 State Engineer Ruling 5519, dated September 16, 2005 357 State Engineer Ruling 5547, dated January 25, 2006 358 State Engineer Ruling 5558, dated February 9, 2006 359 State Engineer Ruling 5559, dated February 9, 2006

State Engineer Ruling 5560, dated February 9, 2006

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EXHIBIT NO.	EXHIBIT DESCRIPTION
361	State Engineer Ruling 5621, dated June 15, 2006
362	State Engineer Ruling 5712, dated February 2, 2007
363	State Engineer Ruling 5726, dated April 16, 2007
364	State Engineer Ruling 5747, dated June 27, 2007
365	State Engineer Ruling 5782, dated September 17, 2007
366	SNWA, 2007, Clark, Lincoln and White Pine Counties Groundwater Development Project, Draft Conceptual Plan of Development
367	LVVWD, 2001, Water Resources and Ground-Water Modeling in the White River and Meadow Valley Flow Systems
368	Water-Level Dataset
369	Excel Solver Software
370	Maxey, G.B., and Eakin, T.E., 1949, Groundwater in the White River Valley, White Pine, Nye, and Lincoln counties, Nevada: State of Nevada, Office of the State Engineer, Water Resources Bulletin No. 8, 59 p.
2000	Intermediate Order and Hearing Notice dated 3/8/06 (Spring Valley Ex. 1)
2001	State Engineer's Intermediate Order No. 3 dated 7/27/06 (Spring Valley Ex. 56)
2002	State Engineer's Intermediate Order No. 4 dated 8/4/06 (Spring Valley Ex. 57)
2003	Geology Report (Spring Valley Ex. 504)
2004	Data Reports (Spring Valley Ex. 506)
2005	Spring Valley Model Report (Spring Valley Ex. 508)
2006	Southern Nevada Water Authority 1996 Water Resource Plan (Spring Valley Ex. 510)
2007	Southern Nevada Water Authority 2006 Water Resource Plan (Spring Valley Ex. 511)
2008	Summary of USGS-SNWA/LVVWD Funding Agreements (Spring Valley Ex. 532)

EXHIBIT NO.	EXHIBIT DESCRIPTION
2009	Southern Nevada Water Authority Clark, Lincoln, and White Pine Counties Groundwater Development Project Draft Conceptual Plan of Development, March 17, 2006 (Spring Valley Ex. 536)
2010	Coyote Springs Stipulation for Dismissal of Protests, July 18, 2001 (Spring Valley Ex. 537)
2011	Coyote Springs Memorandum of Agreement, April 20, 2006 (Spring Valley Ex. 538)
2012	Cooperative Agreement Among Lincoln County, the Southern Nevada Water Authority and the Las Vegas Valley Water District, April 17, 2003 (Spring Valley Ex. 541)
2013	General Capacity Agreement for Participation in Southern Nevada Water Authority's Groundwater Project, February 6, 2006 (Spring Valley Ex. 542)
2014	Three Lakes and Tikaboo Stipulation for Withdrawal of Protests, December 8, 2005 (Spring Valley Ex. 543)
2015	Nevada County Population Estimates July 1, 1986 to July 1, 2004 Includes Cities and Towns (Spring Valley Ex. 594)
2016	Interbasin Transfers (Spring Valley Ex. 603)
2017	Municipal Uses (Spring Valley Ex. 604)
2018	Precipitation Map of Nevada, 1936 (Hardman) (Spring Valley Ex. 605)
2019	Ground water in White River Valley, White Pine, Nye, and Lincoln Counties, Nevada. (Spring Valley Ex. 606)
2020	Water for Nevada: Report 3 Nevada's Water Resources, p. 23 (Spring Valley Ex. 607)
2021	Regional Ground-Water Evapotranspiration and Ground-Water Budgets, Great Basin, Nevada (Nichols 2000) (Spring Valley Ex. 610)
2022	The Accuracy of United States Precipitation Data (Spring Valley Ex. 617)
2023	Calculation of Monthly and Annual 30-Year Standard Normals (Spring Valley Ex. 618)
2024	Major Ground-Water Flow Systems in the Great-Basin Region of Nevada, Utah, and Adjacent States (Spring Valley Ex. 625)

EXHIBIT NO.	EXHIBIT DESCRIPTION
2025	Nevada Precipitation Map - Adapted by George Hardman, 1965 (Spring Valley Ex. 628)
2026	Western Regional Climate Center (Spring Valley Ex. 631)
2027	Water Resources Data Nevada Water Year 2004 (Spring Valley Ex. 632)
2028	NRCS Field Office Guide to Climatic Data (Spring Valley Ex. 638)
2029	Application for Rights-of-Way, Clark, Lincoln, and White Pine Counties Groundwater Development Project, August 19, 2004 (Spring Valley Ex. 644)
2030	Scoping Package for the Southern Nevada Water Authority Clark, Lincoln, and White Pine Counties Groundwater Development Project (Spring Valley Ex. 645)
2031	Notice of Intent of the Southern Nevada Water Authority to Prepare an Environmental Impact Statement and Initiate the Public Scoping Process, April 8, 2005 (Spring Valley Ex. 646)
2032	Scoping Meeting Letters for Protestants (Spring Valley Ex. 647)
2033	Legislative History for Senate Bill 108-1999, and Act Related to the Use of Water and the Approval of Interbasin Transfers of Ground Water (Spring Valley Ex. 656)
2034	Water Supply Agreement Among the Moapa Band of Paiute Indians, Las Vegas Valley Water District, Southern Nevada Water Authority, Muddy Valley Irrigation Company, and Moapa Valley Water District, April 20, 2006 (Spring Valley Ex. 675)
2035	Agreement for Lease of Water Rights By Moapa Valley Water District, the Southern Nevada Water Authority, and the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, March 31, 2006 (Spring Valley Ex. 676)
2036	From Models to Performance Assessment: The Conceptualization Problem (Spring Valley Ex. 689)
2037	The Conceptualization Model Problem - Surprise (Spring Valley Ex. 690)
2038	Methods and Guidelines for Effective Model Calibration, Table 1 (Hill 1998) (Spring Valley Ex. 693)
2039	Ground-Water Models Cannot Be Validated (Spring Valley Ex. 694)

EXHIBIT NO.	EXHIBIT DESCRIPTION
2040	U.S.G.S. Ground-Water Models Cannot Be Validated Policy Memo, 2/5/93 (Spring Valley Ex. 695)
2041	Las Vegas Wash Coordination Committee 2005 Year-End Report (Spring Valley Ex. 777)
2042	Hershler, R. 1998. A systematic review of the Hydrobiid snails (Gastropoda: Rissooidea) of the Great Basin, western United States. Part I. Genus Pyrgulopsis. The Veliger 41, pages 1-3, 11014, 56-57, 99-132 (Spring Valley Ex. 2035)
2043	Hershler, R. and D.W. Sada. 2002. Biogeography of Great Basin aquatic snails of the Genus Pyrgulopsis. Pages 255-276 in R. Hershler, D.B. Madsen, and D.R. Curvey, eds. Great Basin Aquatic Systems History. Smithsonian Contributions to the Earth Sciences, Number 33 (Spring Valley Ex. 2036)
2044	Sage Grouse Conservation Team. 2004. Greater Sage-Grouse Conservation Plan for Nevada and Eastern California. First Edition. Prepared for Nevada Governor Kenny C> Guinn. Nevada. Title page, table of contents, Executive Summary, acknowledgments, Pages 1-108, Appendix Q-White Pine County Sage-Grouse Conservation Plan, Appendix R- Lincoln County Sage-Grouse Conservation Plan (Spring Valley Ex. 2060)
2045	Skudlarek, E., ed. 2006. Nevada Wetlands priority conservation plan, technical review draft. Nevada Natural Heritage Program, Department of Conservation and Natural Resources, Title Page and pages 1-11, 1-20, 1-22, 1-25, 3-3, 3-7, 3-8, 3-9, 4-26, 4-31, 4-32, 4-34, 4-35 (Spring Valley Ex. 2106)