

EXHIBIT 130

Bruce A. Aylward

Outline of Expert Witness Rebuttal Testimony

Response to WRID Exhibits 194 and 196

In addition to the matters and issues identified in Mr. Aylward's initial outline of testimony (NFWF Exh. 78), Mr. Aylward has reviewed WRID Exhibits 194 and 196, and has also reviewed the Addendum DST model run prepared by UNR/DRI (NFWF Exh. 124), and therefore his testimony at the evidentiary hearing could include, but is not limited to, the following:

I. Failure of WRID's experts, MBK Engineers, to account for NFWF's retirement of associated supplemental groundwater rights when determining whether the water rights change requested in App. 80700 will conflict with other water rights users, including discussion of NFWF Exh. 124 that shows results of changing water rights pursuant to App. 80700 without retirement of associated supplemental groundwater rights;

II. Superiority of DST approach to injury/conflict question over simplified consumptive use limitation as propounded by WRID and its experts, particularly in light of fact that DST is able to account for benefits to the agro-hydrogeological system due to retirement of supplemental groundwater rights;

III. Alternative approach, should State Engineer opt not to use the DST approach and conclusions, for changing App. 80700 water rights to instream/wildlife uses that allows for delivery/administration of full decreed flow rate (7.745 cfs) to proposed point of non-diversion, and for administration of only the net consumptive use (as determined by the State Engineer to be 3.1 afa) at or near the point of return flow for the West Hyland Ditch.