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20	APPLICATION NO. 80700 FILED BY THE NATIONAL FISH AND WILDLIFE)	ADDITIONAL TESTIME EXHIBIT LIST OF	MONY, AND ADDITIONAL
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PREFACE

With respect to many of the exhibits offered by Applicant, National Fish and Wildlife Foundation ("NFWF"), no witness has been offered to explain their relevance to issues in this proceeding. To the extent that any of those exhibits are determined to be relevant to the issues in this proceeding, the Walker River Irrigation District (the "District"), Lyon County and the Bowman Protestants (collectively, the "Joint Protestants") reserve the right to present evidence, including testimony and documentary evidence, in response to it.

To the extent that an exhibit or outline of testimony submitted in the initial exchange of witnesses and exhibits relates to issues which the State Engineer has decided in the Interim Order and Notice of Hearing dated July 17, 2012, and is allowed into evidence, as distinguished from being received as an offer of proof, the Joint Protestants reserve the right to present evidence, including testimony and documentary evidence, in response to it. The Joint Protestants also reserve the right to present evidence, including testimony and documentary evidence, in response to any evidence which is admitted and for which a detailed outline has not been provided as required by the Interim Order dated July 17, 2012. The Joint Protestants also reserve the right to present evidence, including testimony and documentary evidence, in response to any evidence which is provided in the Second Exchange of Evidence and is admitted, which evidence should have been provided in the Initial Exchange of Evidence as required by the July 17, 2012 Interim Order.

Subject to the foregoing reservations and pursuant to the Interim Order dated July 17, 2012, the Amended Notice of Hearing dated August 10, 2012, and the Third Amended Notice of Hearing dated May 9, 2013, the Joint Protestants hereby submit their List of Witnesses, Outline of Additional Testimony, and Exhibit List of Additional Documentary Evidence. A copy of each Exhibit on the Exhibit List of Additional Documentary Evidence is also being provided under separate cover in hard copy or by computer compact disk.

22.

I. WITNESSES AND OUTLINE OF ADDITIONAL TESTIMONY.

A. Lee G. Bergfeld

The Joint Protestants will call Lee G. Bergfeld, P.E., of MBK Engineers of Sacramento, California. Mr. Bergfeld will testify as an expert witness. Mr. Bergfeld will testify in response to NFWF Exhibit 116, "Walker River Decision Support Tool (version 2.0): Application and Analysis of National Fish & Wildlife Foundation Application No. 80700" and supporting model input and output files contained in NFWF Exhibit 115, "Walker River Basin Decision Support Tool" and in response to testimony related thereto. He will testify that Exhibit 116 and the supporting input and output files, Exhibit 115, do not address and are not currently able to address the potential for the changes requested in Application 80700 to conflict with existing rights, and he will explain the reasons for those conclusions. His testimony will be based upon and consistent with information included in his written and signed report dated June 6, 2013.

Mr. Bergfeld will sponsor the following additional exhibits:

Exhibit No. 197 - Rebuttal Report to National Fish and Wildlife Foundation Exhibits 115 and 116 in Support of Application 80700;

B. Marc Van Camp

The Joint Protestants will call Marc Van Camp, P.E., of MBK Engineers of Sacramento, California. Mr. Van Camp will testify as an expert witness. Mr. Van Camp may testify in response to the testimony of David Yardas, Bruce Aylward, Catherine Wilson, Paul Hamai, Dwight Smith and Eugene Franzoy. His testimony will be related to NFWF Exhibit 111 and its associated Exhibit 1, BIA Exhibits 251 through 265, and Walker River Paiute Tribe Exhibit 354 and its associated Exhibit 1. He will testify that the draft "Program Water Conveyance Accounting Protocols" will not protect existing and recognized water rights, and will not protect water approved for change under Application 80700. He will explain the reasons for those conclusions. He will also suggest features which should be included in an appropriate

accounting protocol. His testimony will be based upon and consistent with information included in his written and signed report dated June 7, 2013.

Mr. Van Camp will sponsor the following additional exhibit:

Exhibit No. 198 - "Rebuttal Report to Exhibits Describing a Draft Accounting Protocol to Ensure Delivery of Water to Walker Lake".

C. Administrative Notice

The Joint Protestants may request the Nevada State Engineer to take administrative notice of information in specific files in the Office of the Nevada State Engineer. The Joint Protestants may call one or more witnesses to explain and summarize the significance of the information in those files.

II. ADDITIONAL DOCUMENTARY EVIDENCE.

Based upon information available at this time, the Joint Protestants intend to introduce the following additional documentary evidence at the administrative hearing in this matter:

Exhibit	LIST OF ADDITIONAL EXHIBITS OF WALKER RIVER
No.	IRRIGATION DISTRICT, LYON COUNTY AND BOWMAN PROTESTANTS
	Description
197	Report of Lee G. Bergfeld dated June 6, 2013 entitled "Rebuttal Report to National Fish and Wildlife Foundation Exhibits 115 and 116 in Support of Application 80700"
198	Report of Marc Van Camp dated June 7, 2013 entitled "Rebuttal Report to Exhibits Describing a Draft Accounting Protocol to Ensure Delivery of Water to Walker Lake"

WOODBURN AND WEDGE

Dated this 7th day of June, 2013.

GORDON H. DePAOLI DALE E. FERGUSON DOMENICO R. DePAOLI

Attorneys for Walker River Irrigation District

By:

Dated this 7th day of June, 2013.

By:

GEORGE N. BENESCH

Attorney for Lyon County

Dated this 7th day of June, 2013.

By: Maa a Sowman

LINDA A. BOWMAN

Attorney for Bowman Protestants

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AFFIDAVIT OF SERVICE

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2 STATE OF NEVADA) ss. 3 COUNTY OF WASHOE 4 Holly Dewar, being first duly sworn, deposes, and states under penalty of perjury, as 5 follows: 6 I am an employee of the law firm of Woodburn and Wedge, a citizen of the United 7 States, over 18 years of age, and not an interested person to the above-entitled matter. 8 On June 7, 2013, I deposited in sealed envelopes in the United States Mail, postage fully 9 10 prepaid, a true and correct copy of the foregoing filed in the above entitled matter, along with a 11 hard copy or an electronic copy on compact disk (as indicated below) of each of the exhibits 12 listed in the foregoing, addressed to each of the names and addresses as follows: 13 George Benesch Joseph Sceirine 14 190 W. Huffaker Lane, Ste. 408 P.O. Box 1013 Reno, Nevada 89511 Yerington, Nevada 89447 15 Linda Bowman Jim Snyder 16 P.O. Box 10306 P.O. Box 550 17 Reno, Nevada 89510-0306 Yerington, Nevada 89447 18 Campbell Canal Co., David Sceirine, Pres. Don Springmeyer, Christopher Mixson Wolf Rifkin Shapiro Schulman Rabkin c/o Rife and Associates 19 3556 E. Russell Road, 2nd Floor 22 Highway 208 Las Vegas, Nevada 89120 Yerington, Nevada 89447 20 21 Newhall Mutual Ditch Co., Darrel E. Pursel Walker River Irrigation District 42 McKenzie Lane Kenneth Spooner, Manager 22 Yerington, Nevada 89447 P.O. Box 820 Yerington, Nevada 89447 23 Karen Peterson Christopher Watson 24 Allison MacKenzie Law Firm U.S. Dept. of Interior 25 402 N. Division Street Office of the Solicitor Carson City, Nevada 89702 1849 C St. NW, MS 6513 MIB 26 Washington, D.C. 20240 27 Steven B. Rye Wes Williams, Jr. 215 W. Bridge St., Ste. 3 P.O. Box 100 28 Yerington, Nevada 89447 Schurz, Nevada 89427

David Sceirine P.O. Box 239 Yerington, Nevada 89447

Holly Dewar

SUBSCRIBED and SWORN to before me this 7th day of June, 2013.

Sheron Bradley NOTARY PUBLIC

