

EXHIBIT 6

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Elizabeth A. Brown
Clerk of Supreme Court

EXHIBIT 6

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LISA C. LESTER
LINCOLN COUNTY CLERK

Case No. CV0702520

Dept. No. _____

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF LINCOLN

LINCOLN COUNTY WATER DISTRICT,
a political subdivision of the State of Nevada,
and VIDLER WATER COMPANY, INC.,
a Nevada corporation,

Petitioners,

vs.

TIM WILSON, P.E., NEVADA STATE ENGINEER,
DIVISION OF WATER RESOURCES,
DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES,

Respondent.

PETITION FOR JUDICIAL REVIEW
(Exempt from Arbitration: Judicial
Review of Administrative Decision)

Petitioners, LINCOLN COUNTY WATER DISTRICT, a political subdivision of the State of Nevada, by and through its attorney, DYLAN V. FREHNER, ESQ., LINCOLN COUNTY DISTRICT ATTORNEY, and VIDLER WATER COMPANY, INC., a Nevada corporation, by and through its attorneys, ALLISON, MacKENZIE, LTD., petition and allege as follows:

1. Petitioner, LINCOLN COUNTY WATER DISTRICT ("LINCOLN"), is a political subdivision of the State of Nevada, created for the purpose of providing adequate and efficient water service within Lincoln County, Nevada.

2. Petitioner, VIDLER WATER COMPANY, INC. ("VIDLER"), is a Nevada corporation authorized to conduct business in the state of Nevada.

3. Petitioners, LINCOLN and VIDLER own groundwater permits with a priority date of February 14, 2005 and jointly own groundwater right applications filed on April 10, 2006 to

1 appropriate water in the Kane Springs Valley Hydrographic Basin (206) ("Kane Springs") for
2 municipal use purposes with a place of use in the Coyote Spring Valley Hydrographic Basin (210).
3 The permits and pending applications are more specifically described below. The Kane Springs
4 hydrographic basin and the points of diversion in the permits and applications are located entirely in
5 Lincoln County, Nevada. Petitioners, LINCOLN and VIDLER are senior water right permit holders
6 and jointly hold senior groundwater right applications in Kane Springs.

7 4. Respondent, TIM WILSON P.E., NEVADA STATE ENGINEER, DIVISION
8 OF WATER RESOURCES, DEPARTMENT OF CONSERVATION AND NATURAL
9 RESOURCES ("STATE ENGINEER"), is empowered to act pursuant to the provisions of Chapters
10 533 and 534 of the Nevada Revised Statutes. The Nevada Legislature has provided that, subject to
11 existing rights, all underground waters within the boundaries of the state of Nevada are subject to
12 appropriation for beneficial use under the laws of the state and it is the charge of the STATE
13 ENGINEER to put water to beneficial use for the economic benefit of the state of Nevada. The
14 Office of the State Engineer is a creature of statute; it has no inherent power and its powers and
15 jurisdiction are limited as provided by statute.

16 5. This Petition is brought pursuant to the procedures authorized and provided in
17 NRS 533.450. Specifically, Petitioners are aggrieved by an order of the STATE ENGINEER that
18 affects Petitioners' interests and Petitioners may obtain judicial review in the proper court of the
19 county in which the matters affected are situated. Petitioners' interests and the matters affected by
20 the STATE ENGINEER's Order 1309, including the Kane Springs basin, are situated entirely in
21 Lincoln County, Nevada. Jurisdiction and venue of Petitioners' Petition for Judicial Review are
22 properly before this Court pursuant to NRS 533.450. A true and correct of Order 1309 is attached
23 hereto as **Exhibit "1"**.

24 6. A Notice of this Petition has been served on the STATE ENGINEER and all
25 persons affected by Order 1309 of the STATE ENGINEER as required by NRS 533.450(3).

26 7. The STATE ENGINEER's administration of the Lower White River Flow
27 System Basins started with Order 1169 issued in March 2002. Order 1169 required all pending
28 applications in certain basins be held in abeyance pending an aquifer test of the carbonate-rock

1 aquifer system to better determine whether the pending applications and future applications could be
2 developed from the carbonate-rock aquifer. Kane Springs was not included in Order 1169 in March
3 2002 as part of the administration of the Lower White River Flow System Basins.

4 8. On February 14, 2005, LINCOLN/VIDLER filed Applications 72218, 72219,
5 72220 and 72221 to appropriate groundwater in Kane Springs.

6 9. On August 1, 2006, LINCOLN/VIDLER and the UNITED STATES
7 DEPARTMENT OF THE INTERIOR, FISH AND WILDLIFE SERVICE ("USFWS") entered into
8 an Amended Stipulation for Withdrawal of Protests for Applications 72218, 72219, 72220 and
9 72221 ("Amended Stipulation for Withdrawal of Protests"). The Amended Stipulation for
10 Withdrawal of Protests contains among other things, triggers acceptable to USFWS to reduce
11 Petitioners' groundwater pumping for protection of the Moapa dace. From 2006 to date, Petitioners
12 and USFWS have performed and continue to perform under the terms of the Amended Stipulation
13 for Withdrawal of Protests.

14 10. On February 2, 2007, the STATE ENGINEER issued Ruling 5712, which
15 partially approved Applications 72218, 72219, 72220 and 72221, granting LINCOLN/VIDLER
16 1,000 acre feet annually ("afa") of water rights in Kane Springs. In Ruling 5712, the STATE
17 ENGINEER specifically determined Kane Springs would not be included in the Order 1169 study
18 area because there was no substantial evidence that the appropriation of a limited quantity of water
19 in Kane Springs will have any measurable impact on the Muddy River Springs that warrants the
20 inclusion of Kane Springs in Order 1169. The STATE ENGINEER denied the request to hold the
21 LINCOLN/VIDLER applications in abeyance and include Kane Springs within the provisions of
22 Order 1169. The STATE ENGINEER specifically rejected the argument that the Kane Springs
23 rights could not be appropriated based upon senior appropriated rights in the down gradient basins.
24 None of the parties to the Memorandum of Understanding ("MOU") entered into on April 20, 2006
25 by certain water right holders in the Coyote Spring Valley and California Wash hydrographic basins
26 and none of the Order 1169 study participants objected to or appealed the STATE ENGINEER's
27 determinations that Kane Springs would not be included in Order 1169 and Petitioners could
28

1 appropriate and develop their water rights notwithstanding senior appropriated rights in the down
2 gradient basins.

3 11. LINCOLN/VIDLER filed a Petition for Judicial Review with the Seventh
4 Judicial District Court on March 1, 2007, challenging the validity of the STATE ENGINEER's
5 decision in Ruling 5712.

6 12. Following the filing of the Petition for Judicial Review, LINCOLN/VIDLER
7 met with the STATE ENGINEER on March 15, 2007, regarding their pending Applications 74147,
8 74148, 74149 and 74150. LINCOLN/VIDLER requested that they perform additional data
9 collection, testing and study in Kane Springs to support the pending applications. The STATE
10 ENGINEER informed LINCOLN/VIDLER he would consider granting to LINCOLN/VIDLER
11 additional unappropriated water rights in Kane Springs pursuant to their pending Applications
12 74147, 74148, 74149 and 74150 if LINCOLN/VIDLER collected the additional data upgradient in
13 the Kane Springs basin and performed the testing and additional study to support the pending
14 applications.

15 13. LINCOLN/VIDLER and the STATE ENGINEER thereafter stipulated to the
16 dismissal of the Petition for Judicial Review regarding Applications 72218, 72219, 72220 and 72221
17 and Ruling 5712.

18 14. The rights the STATE ENGINEER granted to LINCOLN/VIDLER in Ruling
19 5712 and now held by LINCOLN/VIDLER were and are rights vested under Nevada law.

20 15. On April 29, 2009, the Acting STATE ENGINEER issued Ruling 5987
21 summarily denying Applications 74147, 74148, 74149 and 74150 without holding a hearing or
22 contacting LINCOLN/VIDLER to get any information about the additional data collection, testing
23 and study the STATE ENGINEER stated he would review.

24 16. LINCOLN/VIDLER filed a Petition for Judicial Review with the Seventh
25 Judicial District Court on May 29, 2009 challenging the validity of the STATE ENGINEER's
26 decision in Ruling 5987.

27 17. On April 27, 2010, LINCOLN/VIDLER and the STATE ENGINEER entered
28 into a settlement agreement to resolve LINCOLN/VIDLER's Petition for Judicial Review

1 challenging Ruling 5987. The settlement agreement required, among other things, the STATE
2 ENGINEER to reinstate 74147, 74148, 74149 and 74150 with the same priority as their original
3 application date.

4 18. LINCOLN/VIDLER and the STATE ENGINEER thereafter stipulated to the
5 dismissal of the Petition for Judicial Review regarding Applications 74147, 74148, 74149 and 74150
6 and Ruling 5987.

7 19. On October 29, 2008, LINCOLN/VIDLER obtained a Biological Opinion
8 from the USFWS that pumping of groundwater pursuant to Applications 72218, 72219, 72220 and
9 72221 for their Kane Springs groundwater project was not likely to jeopardize the continued
10 existence of the endangered Moapa dace; the project could contribute to groundwater level declines
11 and spring flow reductions, however, implementation of the project's conservation actions will
12 minimize these impacts. With regard to incidental take, the Biological Opinion stated the level of
13 anticipated take is not likely to result in jeopardy to the Moapa dace based in part on the
14 implementation of the conservation measures for the project. Since 2008, Petitioners has spent
15 substantial sums, including the direct payment of \$50,000, to the USFWS as part of the project's
16 conservation measures in reliance on the Biological Opinion, Ruling 5712 and the settlement
17 agreements entered into with the STATE ENGINEER to resolve Petitioners' appeals of Rulings
18 5712 and 5987 involving Petitioners' water rights and applications in Kane Springs. None of the
19 parties to the April 20, 2006 Memorandum of Understanding and none of the Order 1169 study
20 participants objected to or appealed the Biological Opinion issued by the USFWS for the
21 LINCOLN/VIDLER groundwater applications in Kane Springs.

22 20. In reliance on the STATE ENGINEER's approval of Applications 72218,
23 72219, 72220 and 72221, Ruling 5712, the issuance of permits to Petitioners and the settlement with
24 the STATE ENGINEER, LINCOLN/VIDLER have expended significant time and money since
25 2005 in furtherance of perfecting their water rights in the Kane Springs basin in the approximate
26 sum of \$4,237,000.

27 21. In reliance upon the STATE ENGINEER's representations regarding the
28 additional data collection, testing and study, and his statements that he would consider any new data

1 and results regarding the basin, LINCOLN/VIDLER have expended significant time and money to
2 collect data, test and study the Kane Springs basin and to prepare the data and information to be
3 presented to the STATE ENGINEER to support pending Applications 74147, 74148, 74149 and
4 74150 in the approximate sum of \$543,000.

5 22. Petitioners were not and have never been an Order 1169 study participant.
6 Petitioners are not and have never been a party to the Memorandum of Understanding entered into
7 on April 20, 2006 by certain water right holders in the Coyote Spring Valley and California Wash
8 hydrographic basins whereby such parties voluntarily agreed to certain groundwater pumping
9 restrictions, among other things, to further their shared common interest in the conservation and
10 recovery of the Moapa dace and its habitat, an endangered species under the Endangered Species
11 Act.

12 23. Between 2010 and 2014, the Order 1169 basins were studied and tested, and
13 the Order 1169 study participants were involved and participated in aquifer tests, the submission of
14 reports, proceedings and actions taken by the STATE ENGINEER pursuant to Order 1169. The
15 basins that were included in the Order 1169 aquifer test were acknowledged to have a unique
16 hydrologic connection and share the same supply of water. The Kane Springs basin was not
17 included in the Order 1169 aquifer testing, monitoring or measurements and Kane Springs basin
18 water right holders, including Petitioners, were not involved and did not participate in the aquifer
19 testing, submission of reports, proceedings and actions taken by the STATE ENGINEER pursuant to
20 Order 1169 from 2010 to 2014. After the aquifer test, no Order 1169 study participants
21 recommended that Kane Springs be included in the Order 1169 study area nor did the STATE
22 ENGINEER make a determination that Kane Springs should be included in the Order 1169 study
23 area based upon the Order 1169 testing and proceedings. One study participant's report (Southern
24 Nevada Water Authority) noted there "was a lack of pumping responses north of the Kane Springs
25 Fault and west of the MX-5 and CSI wells near the eastern front of the Las Vegas Range."

26 24. On January 11, 2019, the STATE ENGINEER issued Interim Order 1303
27 designating the Lower White River Flow System ("LWRFS"), a multi-basin area known to share a
28 close hydrologic connection, as a joint administrative unit for purposes of administration of water

1 rights. Pursuant to Interim Order 1303, all water rights within the LWRFS were to be administered
2 based upon their respective dates of priority in relation to other rights within the regional
3 groundwater unit. Kane Springs was not included as part of the LWRFS multi-basin area in Interim
4 Order 1303.

5 25. After an administrative hearing, the STATE ENGINEER issued Order 1309
6 on June 15, 2020 delineating the Lower White River Flow System Hydrographic Basin to include
7 those certain hydrographic basins subject to Order 1169 and Order 1303 and for the first time
8 included the Kane Springs basin as part of the Lower White River Flow System Hydrographic
9 Basin.

10 26. In Order 1309, the STATE ENGINEER stated it was necessary for spring
11 flow measured at the Warm Springs West gage to flow at a minimum rate in order to maintain
12 habitat for the Moapa dace. The STATE ENGINEER determined in Order 1309 that liability under
13 the Endangered Species Act for a "take" would extend to groundwater users within the LWRFS and
14 would so extend to the State of Nevada through the Division of Water Resources as the government
15 agency responsible for permitting water use. The STATE ENGINEER concluded that it was against
16 the public interest to allow groundwater pumping that will reduce spring flow in the Warm Springs
17 area to a level that would impair habitat necessary for the survival of the Moapa dace and could
18 result in take of the endangered species.

19 27. In Order 1309, the STATE ENGINEER relied upon six criteria from Rulings
20 6254-6261 as the standard of general applicability for inclusion into the geographic boundary of the
21 LWRFS, thereby adopting policies in Order 1309 that the STATE ENGINEER then expanded for
22 general application.

23 28. Order 1309 is in excess of the jurisdiction and statutory authority of the
24 STATE ENGINEER because Nevada law does not authorize the STATE ENGINEER to designate a
25 multi-basin area and effectively reprioritize basin specific water rights by administering them based
26 upon their respective dates of priority in relation to other rights within the multi-basin groundwater
27 area or designate a multi-basin area via an *ad hoc* ruling. By including Kane Springs in the LWRFS
28 in Order 1309 and limiting pumping in the LWRFS to 8,000 afa, the STATE ENGINEER has made

1 exercising Petitioners' water rights impracticable for no legitimate government reason by
2 reprioritizing Petitioners' water rights holding senior status in Kane Springs to the most junior water
3 rights in the multi-basin LWRFS, destroying Petitioners' property rights, denying Petitioners all
4 viable economic use of their property and eviscerating contractual rights related to the water rights,
5 and interfering with Petitioners' investment backed expectations, all in violation of and to the
6 prejudice of Petitioners' constitutional rights.

7 29. Order 1309 is arbitrary and capricious and constitutes an abuse of discretion
8 in violation of Petitioners' rights because in the Ruling 5712 contested proceedings, the STATE
9 ENGINEER denied the request to hold the LINCOLN/VIDLER applications in abeyance and
10 include Kane Springs within the provisions of Order 1169 determining there was no substantial
11 evidence that the appropriation of the water granted to Petitioners in Kane Springs will have any
12 measurable impact on the Muddy River Springs that warranted the inclusion of Kane Springs in
13 Order 1169. The STATE ENGINEER specifically rejected the argument that Petitioners' Kane
14 Springs rights could not be appropriated based upon senior appropriated rights in the down gradient
15 basins. The STATE ENGINEER is precluded from re-adjudicating and relitigating issues already
16 determined in a contested proceeding and resolved by settlement agreements with Petitioners
17 resulting from Petitioners' appeals of Rulings 5712 and 5987. In addition, there was no evidence
18 presented in the proceedings leading up to the issuance of Order 1309 that appropriation of
19 Petitioners' water rights in Kane Springs will have any impact on the Muddy River Springs that
20 warrants inclusion of Kane Springs in the LWRFS as defined in Order 1309.

21 30. Order 1309 is arbitrary and capricious and constitutes an abuse of discretion
22 because the STATE ENGINEER failed to consider or address the Amended Settlement Agreement
23 entered into between Petitioners and USFWS and the Biological Opinion issued by the USFWS that
24 Petitioners' groundwater pumping project in Kane Springs was not likely to jeopardize the continued
25 existence of the endangered Moapa dace and the level of anticipated take is not likely to result in
26 jeopardy to the Moapa dace based in part on the implantation of the conservation measures for
27 Petitioners' project. In issuing Order 1309, the STATE ENGINEER failed to consider the unrefuted
28 expert opinion testimony in the record of the former USFWS Field Supervisor who signed the

1 Biological Opinion and helped negotiate the Amended Stipulation for Withdrawal of Protests that
2 Petitioners, as parties holding a Biological Opinion and the Amended Stipulation for Withdrawal of
3 Protests, are compliant with the Endangered Species Act. The STATE ENGINEER's determination
4 that liability under the Endangered Species Act for a "take" would extend to groundwater users
5 within the LWRFS not parties to the MOU and would so extend to the State of Nevada through the
6 Division of Water Resources as the government agency responsible for permitting water use is not
7 supported by substantial evidence or any evidence in the record, is contrary to the substantial
8 evidence of record and is contrary to law with respect to Petitioners' water rights and groundwater
9 pumping project in Kane Springs.

10 31. Order 1309 is arbitrary, capricious and constitutes an abuse of discretion
11 because it adopts, effects and defines the STATE ENGINEER's policy of general application for
12 creating a multi-area basin and inclusion into the geographic boundary of the LWRFS and
13 constitutes unlawful *ad hoc* rulemaking in violation of the STATE ENGINEER's statutory authority
14 thereby making Order 1309 void.

15 32. Petitioners were not given notice before the STATE ENGINEER applied the
16 *ad hoc* rule developed from Rulings 6255-6261 in Order 1309. LINCOLN/VIDLER were not
17 parties to those rulings and were unable to present evidence or arguments as to why the *ad hoc* rule
18 should not be applied to Petitioners and their water rights in Kane Springs because the *ad hoc* rule of
19 general applicability was announced after the hearing and after Petitioners had the opportunity to
20 present evidence on the issue before the STATE ENGINEER. Rulings from other proceedings
21 cannot be used to bind unrelated parties in later proceedings.

22 33. The STATE ENGINEER abused his discretion by failing to consider the best
23 available science presented to support the continued exclusion of Kane Springs from the boundaries
24 of the LWRFS and applying criteria or standards which intentionally ignore the best available
25 science to include Kane Springs in the boundaries of the LWRFS.

26 34. Order 1309 is arbitrary, capricious and constitutes an abuse of discretion
27 because it applies the *ad hoc* rule criteria subjectively and in an inconsistent manner.
28

1 35. Order 1309 is arbitrary, capricious, unlawful and constitutes an abuse of
2 discretion because the water right holders pumping closest to Warm Springs and impacting the
3 endangered Moapa dace are not affected by Order 1309 and are allowed to continue to pump their
4 water rights, while Petitioners' water rights, located the furthest distance from Warm Springs with
5 no evidence in the record that pumping of their water rights will impact the endangered Moapa dace,
6 are destroyed and rendered useless by Order 1309.

7 36. The STATE ENGINEER, like all administrative officers, is required to
8 provide due process of law to all parties. The STATE ENGINEER violated LINCOLN/VIDLER's
9 due process rights pursuant to both the Nevada and United States Constitutions.

10 37. Order 1309 violated LINCOLN/VIDLER's due process rights by applying the
11 criteria or standards from other contested administrative proceedings before the STATE ENGINEER
12 in which Petitioners were not parties, after the evidentiary hearing held to determine whether Kane
13 Springs and Petitioners' water rights were to be included within the boundaries of the LWRFS.
14 Petitioners received no prior notice the STATE ENGINEER would apply the criteria or standards
15 and were deprived of an opportunity to address the newly developed criteria or standards applied by
16 the STATE ENGINEER in Order 1309 to include Kane Springs and Petitioners' water rights in the
17 boundaries of the LWRFS.

18 38. In Order 1309, the STATE ENGINEER considered and relied upon evidence
19 submitted after the hearing in the parties' simultaneously submitted written closing statements for
20 which Petitioners had no opportunity to address, respond or refute, all in violation of Petitioners' due
21 process rights.

22 39. The Order 1309 proceedings violated Petitioners' due process rights because
23 certain former Division of Water Resource employees who participated in and were decision makers
24 in the STATE ENGINEER's proceedings and determinations resulting in Ruling 5712 and Order
25 1169, which excluded Kane Springs from the LWRFS and appropriated Kane Springs water rights
26 notwithstanding senior appropriated rights in the down gradient basins, testified as private
27 consultants and presented the same evidence relied upon by previous STATE ENGINEERs to
28 exclude Kane Springs from multi-basin joint administration to support the inclusion of Kane Springs

1 in the LWRFS. The STATE ENGINEER erred as a matter of law when he reweighed evidence
2 previously relied upon to exclude Kane Springs from the LWRFS and used the reweighed evidence
3 to include Kane Springs in the LWRFS, all in violation of Petitioners' due process rights.

4 40. The substantial rights of LINCOLN/VIDLER have been prejudiced because
5 Order 1309 violates constitutional and statutory provisions, is in excess of the statutory authority of
6 the STATE ENGINEER, is clearly erroneous in view of the reliable, probative and substantial
7 evidence, and is characterized by an abuse of discretion.

8 41. Order 1309 of the STATE ENGINEER is arbitrary and capricious, contrary to
9 and affected by error of law, without any rational basis, beyond the legitimate exercise of power and
10 authority of the STATE ENGINEER, all to the detriment and damage of Petitioners LINCOLN and
11 VIDLER.

12 42. The determinations in Order 1309 that 8,000 afa is the long terms annual
13 quantity of water that can be pumped and that Kane Springs should be included within the
14 boundaries of the LWRFS, among other determinations, are not supported by substantial evidence in
15 the record before the STATE ENGINEER and are without consideration of all the facts and
16 circumstances.

17 43. Petitioners LINCOLN and VIDLER have exhausted their administrative
18 remedies.

19 44. Petitioners have been required to engage the services of counsel to pursue
20 their rights, and as a proximate and necessary result of the STATE ENGINEER's illegal conduct
21 alleged above, Petitioners are entitled to reasonable attorney's fees and costs as special and
22 foreseeable damages, or in the alternative, as costs of suit.

23 45. For all the foregoing reasons, the STATE ENGINEER acted improperly as a
24 matter of law and did not and cannot conduct a fair assessment of the scientific evidence presented
25 and the facts and circumstances previously relied upon to exclude Kane Springs from the LWRFS
26 multi-basin area. The STATE ENGINEER's actions are inequitable under all the facts and
27 circumstances and the evidence presented, and equitable relief is warranted in the form of direction
28

1 by this Court to the STATE ENGINEER to exclude Kane Springs from the boundaries of the
2 LWRFS as defined in Order 1309.

3 WHEREFORE, Petitioners pray for judgment as follows:

- 4 1. That the Court vacate Order 1309;
- 5 2. That the Court exclude Kane Springs from the LWRFS;
- 6 3. That the Court restore currently held water right priorities and the perennial
7 yield determined for Kane Springs;
- 8 4. That the Court award Petitioners their attorney's fees and costs; and
- 9 5. That the Court award such other and further relief as seems just and proper in
10 the premises.

11 **AFFIRMATION**

12 The undersigned does hereby affirm that the preceding document **DOES NOT**
13 contain the social security number of any person.

14 DATED this 13th day of July, 2020.

15 KAREN A. PETERSON, ESQ.
16 Nevada State Bar No. 366
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22 ~ and ~

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BY: 

DYLAN V. FREHNER, ESQ.
Nevada State Bar No. 9020

Attorneys for Petitioners, LINCOLN COUNTY
WATER DISTRICT and VIDLER WATER
COMPANY, INC.

CERTIFICATE OF SERVICE

Pursuant to NRCP Rule 5(b), I hereby certify that I am an employee of ALLISON MacKENZIE, LTD., Attorneys at Law, and that on this date, I caused the foregoing document to be served on all parties to this action as follows:

Via Hand-Delivery to:

Tim Wilson, P.E. State Engineer
Nevada Division of Water Resources
Department of Conservation and Natural Resources
901 South Stewart Street, Suite 2002
Carson City, NV 89701

Via Certified Mail, Return Receipt Requested to:

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8	Steve King, Esq. 227 River Road Dayton, NV 89403 <i>Attorney for Muddy Valley Irrigation Company</i>	Clark County 500 S. Grand Central Pkwy, 6th Fl. Las Vegas, NV 89155-1111
11	Greg Morrison 50 W. Liberty St., Suite 750 Reno, NV 89501 <i>Attorney for Moapa Valley Water District</i>	Clark County Coyote Springs Water Resources GID 1001 S. Valley View Blvd. Las Vegas, NV 89153
13	Justina Caviglia 6100 Neil Road Reno, NV 89511 <i>Attorney for Nevada Power Company d/b/a NV Energy</i>	Mary K. Cloud P.O. Box 31 Moapa, NV 89025
16	Luke Miller Office of the Regional Solicitor U.S. Department of the Interior 2800 Cottage Way, Suite E1712 Sacramento, CA 95825 <i>Attorney for U.S. Fish and Wildlife Service</i>	Don J. & Marsha L. Davis P.O. Box 400 Moapa, NV 89025
20	State of Nevada Department of Transportation 1263 S. Stewart Street Carson City, NV 89712	Dry Lake Water, LLC 2470 St. Rose Pkwy., Ste. 107 Henderson, NV 89074
22	State of Nevada, Dept. of Conservation And Natural Resources Division of State Parks 901 S. Stewart Street, Suite 5005 Carson City, NV 89701	Kelly Kolhoss P.O. Box 232 Moapa, NV 89025
25	Pacific Coast Building Products, Inc. P.O. Box 364329 Las Vegas, NV 89036	Lake At Las Vegas Joint Venture, Inc. 1600 Lake Las Vegas Parkway Henderson, NV 89011
27	S & R, Inc. 808 Shetland Road Las Vegas, NV 89107	Laker Plaza, Inc. 7181 Noon Rd. Everton, WA 98247-9650

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3	Global Hydrologic Services, Inc.	Patrick Donnelly
4	Mark D. Stock	Center for Biological Diversity
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		Las Vegas, NV 89113
6	Lisa Belenky	
7	Center for Biological Diversity	
8	1212 Broadway #800	
	Oakland, CA 94612	

9
10 DATED this 13th day of July, 2020.

11
12 
13 NANCY FONTENOT
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1		<u>INDEX OF EXHIBITS</u>	
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