

Case No. 84739

IN THE SUPREME COURT OF THE STATE OF NEVADA

ADAM SULLIVAN, P.E., NEVADA
STATE ENGINEER, et al.

Appellants,

vs.

LINCOLN COUNTY WATER
DISTRICT, et al.

Respondents.

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Clerk of Supreme Court

JOINT APPENDIX
VOLUME INDEX

District Court Case No. A-20-816761- C
(Consolidated with Case Nos. A-20-817765-P, A-20-818015-P, A-20-817977-P,
A-20-818069-P, A-20-817840-P, A-20-817876-P, A-21-833572-J)

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INTRODUCTION

This Joint Appendix is being filed on behalf of all Parties pursuant to the Order Modifying Caption and Setting Briefing Schedule dated October 14, 2.22, and the Order Clarifying Briefing Schedule dated October 27, 2022.

The Joint Appendix Consists of a Volume Index and Forty-Nine (49) Volumes of documents. Parties expressly reserve the right to file supplemental appendices, if the need arises. While some duplicates may still exist, Parties have made best efforts to remove duplicates and replace them with reference pages to the location where a duplicate document exists in the record.

The Respondents believe the majority of documents in the Joint Appendix from the Record on Appeal in the underlying case as proposed by Appellants include a significant number of pages which are substantive in nature. Without the benefit of Appellants' briefing on the issues, many of the ROA documents are not essential to the issues of authority and due process to be briefed first pursuant to the Court's Order dated October 14, 2022. However, the Respondents' recognize that the Appellants can and will file an Appellants' Appendix containing these documents and, in the spirit of compromise and reserving their rights to file a Respondents' Appendix under NRAP 30(b)(4) based on the arguments raised by Appellants, agree to the Joint Appendix.

| JA Volume | Bates Start | Bates End | Date | Document Description |
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| 1 | JA_1 | JA_20 | 6/17/2020 | Las Vegas Valley Water District's ("LVVWD") and Southern Nevada Water Authority's ("SNWA") Petition for Judicial Review of Order 1309 |
| 1 | JA_21 | JA_58 | 7/9/2020 | Coyote Springs Investment, LLC's ("CSI") Petition for Judicial Review of Order 1309 |
| 1 | JA_59 | JA_77 | 7/10/2020 | Apex Holding Company, LLC and Dry Lake Water, LLC Petition for Judicial Review of Order 1309 |
| 1 | JA_78 | JA_90 | 7/10/2020 | Apex Holding Company, LLC and Dry Lake Water, LLC Appendix to Petition for Judicial Review of Order 1309 |
| 1 | JA_91 | JA_114 | 7/13/2020 | Center for Biological Diversity's Petition for Judicial Review of Order 1309 |
| 1 | JA_115 | JA_140 | 7/13/2020 | Center for Biological Diversity's Appendix to Petition for Judicial Review of Order 1309 |
| 1 | JA_141 | JA_158 | 7/13/2020 | Lincoln County Water District and Vidler Water Company, Inc.'s ("LV") Petition for Judicial Review of Order 1309 |
| 1 | JA_159 | JA_177 | 7/14/2020 | Muddy Valley Irrigation Company's Petition for Judicial Review of Order 1309 |
| 1 | JA_178 | JA_197 | 7/15/2020 | Georgia-Pacific Gypsum LLC and Republic Environmental Technologies, Inc.'s Petition for Judicial Review of Order 1309 |

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| 1 | JA_198 | JA_223 | 7/15/2020 | Georgia-Pacific Gypsum LLC and Republic Environmental Technologies, Inc.'s Appendix to Petition |
| 1 | JA_224 | JA_244 | 7/15/2020 | Nevada Cogeneration Associates Nos. 1 and 2's Petition for Judicial Review of Order 1309 |
| 1 | JA_245 | JA_246 | 8/17/2020 | Order Granting Consolidation of Petitions |
| 1 | JA_247 | JA_249 | 9/15/2020 | Order Approving Stipulation for Joint Intervention |
| 1 | JA_250 | JA_325 | 11/9/2020 | Summary of Record on Appeal |
| 2-46 | JA_326 | JA_19032 | 11/9/2020 | State Engineer Record On Appeal Documents |

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| 2 | JA_394 | JA_412 | SE ROA 70-88 | 2. Interim Order 1303 |
| 2 | JA_413 | JA_413 | SE ROA 211-211 | 11. Correspondence from US Dep't of Interior to SE re Request for Extension of Time to the Report and Rebuttal Submission Dates Pursuant to Order 1303 |
| 2 | JA_414 | JA_417 | SE ROA 212-215 | 12. Correspondence from DWR to Stakeholders re Request for an Extension of Deadlines in State Engineer Interim Order 1303 |

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| 2 | JA_418 | JA_418 | SE ROA 216-216 | 13. Correspondence from Coyote Springs to State Engineer re Interim Order 1301; U.S. Fish & Wildlife Service May 2, 2019, letter |
| 2 | JA_419 | JA_420 | SE ROA 217-218 | 14. Email re Request for Comments on Extension of Deadlines in State Engineer Interim Order 1309 |
| 2 | JA_421 | JA_422 | SE ROA 219-220 | 15. Email re response from Apex Industrial Park |
| 2 | JA_423 | JA_423 | SE ROA 221-221 | 16. Email re 1303 Extension |
| 2 | JA_424 | JA_425 | SE ROA 222-223 | 17. Correspondence from Taggart & Taggart to State Engineer re Request for Extension of Deadlines in State Engineer Interim Order 1303 |
| 2 | JA_426 | JA_426 | SE ROA 224-224 | 18. Correspondence from Alex Flangas to State Engineer re Notice of Nevada Cogeneration Associates Nos. 1 and 2 of Intent to Participate in Pre-Hearing and Hearing on LWRFS |
| 2 | JA_427 | JA_427 | SE ROA 225-225 | 19. Email re GBWN not appearing at LWRFS hearing |
| 2 | JA_428 | JA_458 | SE ROA 226-256 | 20. NV Energy's Motion for Extension of Time to File Reply Comments Pursuant to NRCP (6)(b)(1)(B)(ii) |

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| 2 | JA_464 | JA_484 | SE ROA 262-282 | 22. Notice of Hearing |
| 2 | JA_485 | JA_485 | SE ROA 283-283 | 23. Correspondence from DWR re Amended Notice of Hearing Regarding Order 1303 |
| 2 | JA_486 | JA_503 | SE ROA 284-301 | 24. Amended Notice of Hearing |
| 2 | JA_504 | JA_507 | SE ROA 302-305 | 25. Notice of Appearance on Behalf of Coyote Springs Investment, LLC |
| 2 | JA_508 | JA_511 | SE ROA 306-309 | 26. Coyote Springs Investment, LLC's Request for Reconsideration of State Engineer's Notice of Hearing |
| 2 | JA_512 | JA_516 | SE ROA 310-314 | 27. Notice of Appearance of Lincoln County Water District and Vidler Water Company, Inc. |
| 2 | JA_517 | JA_520 | SE ROA 315-318 | 28. Email re Procedural Questions relating to Order 1303 |
| 2 | JA_521 | JA_523 | SE ROA 319-321 | 29. Notice of Appearance on Behalf of Georgia Pacific Corporation |
| 2 | JA_524 | JA_547 | SE ROA 322-345 | 30. Motion to Associate Counsel (Georgia Pacific Corporation) |

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| 2 | JA_558 | JA_560 | SE ROA 356-358 | 32. Notice of Appearance on Behalf of Moapa Valley Water District |
| 2 | JA_561 | JA_564 | SE ROA 359-362 | 33. Notice of Appearance on Behalf of NV energy |
| 2 | JA_565 | JA_566 | SE ROA 363-364 | 34. Notice of Appearance for Patrick Donnelly, an agent of the Center for Biological Diversity |
| 2 | JA_567 | JA_569 | SE ROA 365-367 | 35. Notice of Appearance of Counsel of City of North Las Vegas |
| 2 | JA_570 | JA_572 | SE ROA 368-370 | 36. Notice of Appearance of Counsel of Muddy Valley Irrigation Company |
| 2 | JA_573 | JA_577 | SE ROA 371-375 | 37. Notice of Appearance of Counsel for Nevada Cogeneration Assoc. Nos. 1 and 2 |
| 2 | JA_578 | JA_580 | SE ROA 376-378 | 38. Notice of Appearance on Behalf of 3335 Hillside LLC |
| 2 | JA_581 | JA_585 | SE ROA 379-383 | 39. Order Denying Request for Reconsideration and Revision of State Engineer's Notice of Hearing |

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| 2 | JA_589 | JA_593 | SE ROA 387-391 | 41. Notice of Appearance (Southern Nevada Water Authority and Las Vegas Valley Water District) |
| 2 | JA_594 | JA_597 | SE ROA 392-395 | 42. Notice of Appearance of Counsel for Western Elite Environmental, Inc. and Bedroc Limited LLC |
| 2 | JA_598 | JA_601 | SE ROA 396-399 | 43. Notice of Appearance of Counsel for the Church of Jesus Christ of Latter-Day Saints |
| 2 | JA_602 | JA_605 | SE ROA 400-403 | 44. Notice of Appearance of There N. Shanks, Esq. on behalf of Coyote Springs Investment, LLC |
| 2 | JA_606 | JA_612 | SE ROA 404-410 | 45. Coyote Springs Investment, LLC's Objection to Certain Disclosed Scopes of Testimony |
| 2 | JA_613 | JA_615 | SE ROA 411-413 | 46. Notice of Appearance on Behalf of Georgia Pacific Corporation |
| 2 | JA_616 | JA_622 | SE ROA 414-420 | 47. Lincoln County Water District and Vidler Water Company, Inc.'s Objections to Proffered Experts and Exhibits |
| 2 | JA_623 | JA_626 | SE ROA 421-424 | 48. Notice of Appearance (Moapa Band of Paiutes) |

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| 2 | JA_627 | JA_635 | SE ROA 432-440 | 51. Southern Nevada Water Authority and Las Vegas Valley Water District's Objections to Various Parties' Proposed Evidence |
| 2 | JA_636 | JA_638 | SE ROA 441-443 | 52. Georgia Pacific Corporation and Republic Environmental Technologies' Response to Southern Nevada Water Authority and Las Vegas Valley Water District's Objections to Various Parties Evidence |
| 2 | JA_639 | JA_677 | SE ROA 445-483 | 54. Motion to Associate Counsel (Moapa Band of Paiutes) |
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| 2 | JA_697 | JA_702 | SE ROA 513-518 | 58. Notice of Pre-Hearing Conference |
| 2 | JA_703 | JA_736 | SE ROA 519-552 | 59. Transcript of Proceedings - Pre Hearing Conference |
| 2 | JA_737 | JA_737 | SE ROA 553-553 | 60. Order 1303 Hearing Schedule Matrix |
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| 2 | JA_751 | JA_756 | SE ROA 567-572 | 63. Order on Objections to Witnesses and Evidence |
| 2 | JA_757 | JA_758 | SE ROA 573-574 | 64. Sign-in Sheet |
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| 3 | JA_838 | JA_840 | SE ROA 673-675 | 70. NSE Ex 5 – Order 1025 |
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| 3 | JA_1235 | JA_1235 | SE ROA 1070-1070 | 103. NSE Ex 38 – Groundwater Pumpage Inventory Coyote Spring Valley, No. 210 2005 |
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| 4 | JA_1681 | JA_1934 | SE ROA 8674-8927 | 294. NSE Ex 229 – 2016 Southern Nevada Water Authority Muddy River Intentionally Created Surplus Certification Report |
| 4 | JA_1935 | JA_2205 | SE ROA 8928-9198 | 295. NSE Ex 230 – 2017 Southern Nevada Water Authority Muddy River Intentionally Created Surplus Certification Report |
| 5 | JA_2206 | JA_2302 | SE ROA 9199-9295 | 296. NSE Ex 231 - State of Nevada, Nevada Water Resources Water Planning Report No. 3, Water for Nevada, October 1971 |
| 5 | JA_2303 | JA_2354 | SE ROA 9296-9347 | 297. NSE Ex 232 – State of Nevada, Department of Conservation and Natural Resources, GroundWater Resources – Reconnaissance Series Report 25: Ground-Water Appraisal of Coyote Spring and Kane Spring Valleys and Muddy River Springs Area, Lincoln and Clark Counties, Nevada, by Thomas E. Eakin February 1964 |

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| 5 | JA_2355 | JA_2429 | SE ROA 9348-9422 | 298. NSE Ex 233 – State of Nevada, Department of Conservation and Natural Resources, Ground-Water Resources – Reconnaissance Series Report 50: Water-Resources Appraisal of the Lower Moapa-Lake Mead Area, Clark County, Nevada, by F. Eugene Rush, December 1968 |
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| 15 | JA_7180 | JA_7232 | SE ROA 34651- 34703 | 444. CNLV Ex 3 - Garnet Valley Groundwater Pumping Review for APEX Industrial Complex, City of North Las Vegas, Clark County, Nevada - Prepared by Interflow Hydrology, Inc. |

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| 15 | JA_7244 | JA_7244 | SE ROA 34715- 34715 | 448. CNLV Ex 7a – Page, W.R., Dixon, G.L., Rowley, P.D., and Brickey, D.W., 2005, Geological Map of Parts of the Colorado, White River, and Death Valley Groundwater Flow Systems, Nevada, Utah, and Arizona; Nevada Bureau of Mines and Geology, Map 150, 1:250,000 and accompanying Text and References |

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| 20 | JA_9409 | JA_9438 | SE ROA 38127- 38156 | 550. MBOP Ex 28a – Sass, J.H. and A.H. Lachenbruch, 1982. Preliminary interpretation of thermal data from the Nevada Test Site: U.S. Geological Survey Open-File Report USGS-OFR-82-973 |

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CERTIFICATE OF SERVICE

Pursuant to NRAP 25(b), I hereby certify that I am an employee of TAGGART & TAGGART, LTD., and that on this day, I served, or caused to be served, a true and correct copy of this document by electronic service to:

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