

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

COYOTE SPRINGS INVESTMENT, LLC;  
LINCOLN COUNTY WATER DISTRICT;  
AND VIDLER WATER COMPANY, INC.,

Appellants,

vs.

ADAM SULLIVAN, P.E., NEVADA  
STATE ENGINEER, DIVISION OF  
WATER RESOURCES, DEPARTMENT OF  
CONSERVATION AND NATURAL  
RESOURCES,

Respondent.

Electronically Filed  
Dec 27 2022 03:51 PM  
Elizabeth A. Brown  
Clerk of Supreme Court

**Supreme Court No. 85137**

District Court Case No.

A816761

**JOINT APPENDIX**

**CORRECTED<sup>1</sup> VOLUME 10**

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<sup>1</sup> Appellant inadvertently filed Volume 9 in the place of Volume 10 and hereby files this corrected Volume 10.

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**CERTIFICATE OF SERVICE**

I certify that on the 27th day of December 2022, I served a copy of **JOINT APPENDIX** upon all counsel of record:

**BY MAIL:** I placed a true copy thereof enclosed in a sealed envelope addressed as follows:

**BY FACSIMILE:** I transmitted a copy of the foregoing document this date via telecopier to the facsimile number shown below:

**BY ELECTRONIC SERVICE:** by electronically filing the foregoing document with the Nevada Supreme Court's electronic filing system, which sends an electronic notification to the following parties at the email address on file with the Nevada Supreme Court:

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Wayne O. Klomp (Great Basin Law)  
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Karen A. Peterson (Allison MacKenzie, Ltd.)

///

///

**Adam Sullivan, P.E.**

James N. Bolotin (Attorney General/Carson City)

Jeffrey M. Conner (Attorney General/Carson City)

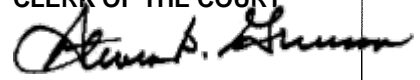
Aaron D. Ford (Attorney General/Carson City)

Steven G. Shevorski (Attorney General/Las Vegas)

Laena St Jules (Attorney General/Carson City)

DATED this 27th day of December, 2022.

*/s/ Christine O'Brien*  
Employee of Robison, Sharp, Sullivan & Brust



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17 *Attorneys for Petitioner Coyote Springs Investment, LLC*

18 **DISTRICT COURT**  
19 **CLARK COUNTY, NEVADA**

21 LAS VEGAS VALLEY WATER DISTRICT,  
and SOUTHERN NEVADA WATER  
22 AUTHORITY

23 Petitioners,  
24 v.

25 ADAM SULLIVAN, P.E., Acting Nevada  
State Engineer, DIVISION OF WATER  
26 RESOURCES, DEPARTMENT OF  
CONSERVATION AND NATURAL  
27 RESOURCES

28 Respondent.

\_\_\_\_\_  
IN THE MATTER OF THE PETITION OF  
\_\_\_\_\_  
COYOTE SPRINGS INVESTMENT, LLC  
\_\_\_\_\_

Case No.: A-20-816761-C (Lead Case)  
Dept. No.: 1

**APPENDIX OF EXHIBITS TO COYOTE  
SPRINGS INVESTMENTS, LLC'S MOTION  
FOR ATTORNEY FEES**

**CONSOLIDATED WITH:**

Case No.: A-20-817765-P (Sub Case)  
Dept. No.: 1

Robison, Sharp,  
Sullivan & Brust  
71 Washington St.  
Reno, NV 89503  
(775) 329-3151

1	IN THE MATTER OF THE PETITION OF	Case No.: A-20-817840-P (Sub Case)
2	APEX HOLDING COMPANY, LLC	Dept. No.: 1
3	_____ /	
4	IN THE MATTER OF THE PETITION OF	Case No.: A-20-817876-P (Sub Case)
5	CENTER FOR BIOLOGICAL DIVERSITY	Dept. No.: 1
6	_____ /	
7	IN THE MATTER OF THE PETITION OF	Case No.: A-20-817977-P (Sub Case)
8	MUDDY VALLEY IRRIGATION COM	Dept. No.: 1
9	PANY	
10	_____ /	
11	IN THE MATTER OF THE PETITION OF	Case No.: A-20-818015-P (Sub Case)
12	NEVADA COGENERATION ASSOCIATES	Dept. No.: 1
13	NOS. 1 AND 2	
14	_____ /	
15	IN THE MATTER OF THE PETITION OF	Case No.: A-20-818069-P (Sub Case)
16	GEORGIA-PACIFIC GYPSUM, LLC AND	Dept. No. 1
17	REPUBLIC ENVIRONMENTAL	
18	TECHNOLOGIES, INC.	
19	_____ /	
20	IN THE MATTER OF THE PETITION OF	Case No.: A-21-833572-J
21	LINCOLN COUNTY WATER DISTRICT	Dept. No. 1
22	AND VIDLER WATER COMPANY, INC.	

**APPENDIX OF EXHIBITS TO COYOTE SPRINGS INVESTMENTS, LLC'S MOTION FOR ATTORNEY FEES**

Coyote Springs Investment, LLC ("CSI") hereby submits the Appendix of Exhibits ("Appendix") in support of their Motion for Attorney Fees (the "Motion")

**EXHIBIT LIST**

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8	Emilia K. Cargill, Esq. CV	197-200
8a	Emilia K. Cargill, Esq. Fees	201

DATED this 5<sup>th</sup> day of May, 2022.

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*Attorneys for Petitioner*  
*Coyote Springs Investment, LLC*

# Exhibit 1



LAS VEGAS VALLEY  
WATER DISTRICT

1001 South Valley View Boulevard  
Las Vegas, NV 89153  
(702) 870-2011 • lvwd.com

November 16, 2017

Via E-Mail: [jking@water.nv.gov](mailto:jking@water.nv.gov)

Mr. Jason King, State Engineer  
Nevada Department of Conservation and Natural Resources  
Division of Water Resources  
901 South Stewart Street, Suite 2002  
Carson City, Nevada 89701

Re: Coyote Spring Valley Water Supply

Dear Mr. King:

The Las Vegas Valley Water District (“LVVWD”) serves as the general manager of the Coyote Springs Water Resources General Improvement District, a political subdivision of the State of Nevada created pursuant to Chapter 318 of the Nevada Revised Statutes (the “GID”) to provide water and wastewater services for 13,100 acres of land (the “Project”) within Coyote Spring Valley. The developers of the Project are Coyote Springs Land Development Corporation (“CSLD”), a Nevada Corporation, Coyote Springs Investment LLC, a Nevada limited liability company (“CSI”), and Coyote Springs Nevada, LLC, a Nevada limited liability company (“CSN”, and together with CSLD and CSI, the “Developers”). We are writing to solicit your opinion whether Coyote Spring Valley groundwater can sustainably supply water for the Project.

Pursuant to a 2006 development agreement, CSI dedicated 2000 acre-feet per annum (“afa”) for the Project under Permits 70429 and 74094 to the GID in 2007. The 2006 agreement was amended in 2015 and provides for additional dedications as development of the Project occurs. During the intervening period, your office issued Ruling 6255, dated January 29, 2014, after receiving the results of deep-carbonate pump testing previously ordered by your office and conducted between November 2010 and December 2012. As a result of the 25-month pump test of the MX-5 well in Coyote Spring Valley, from which an average of 5,290 afa was pumped, your office concluded that “*pumping under the Order 1169 test measurably reduced flows in the headwater Springs of the Muddy River . . .*” Ruling 6255, p.28 (emphasis added). While Ruling 6255 did not invalidate any existing water rights, including those held by the GID and the Developers, we are not convinced that Coyote Spring Valley groundwater can sustainably support the Project given endangered species issues in the Muddy River and impacts to senior water rights.

Jason King  
Re: Coyote Spring Valley Water Supply  
November 16, 2017  
Page Two

The Developers have submitted to LVVWD for review, comment and approval, infrastructure plan sets including but not limited to, plans for a groundwater treatment plant. Further, we are advised that the Developers are moving forward with various forms of off-site construction. While we have made our views regarding sustainability and the impact of Ruling 6255's findings clear to the Developers, Developers contend that Ruling 6255 does not impact the existing water rights owned by the GID and Developers and thus there is sufficient groundwater to begin constructing homes. Finally, Developers have suggested that your office would have jurisdiction to decide the question. We agree that your role in enforcing permit terms and your role in executing subdivision maps vests your office with authority to determine whether the existing permits can be the source of supply for the Project. Accordingly, please provide your opinion regarding the extent to which your office would be willing to execute subdivision maps for the Project if such maps were predicated on the use of groundwater owned by the GID or Developers in Coyote Spring Valley.

Thank you in advance for your attention to this matter.

Sincerely,



Gregory J. Walch, Esq.  
General Counsel

GJW/tad



# Exhibit 2

BRIAN SANDOVAL  
Governor

STATE OF NEVADA

BRADLEY CROWELL  
Director



JASON KING, P.E.  
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002  
Carson City, Nevada 89701-5250  
(775) 684-2800 • Fax (775) 684-2811  
<http://water.nv.gov>

May 16, 2018

Gregory Walch, Esq.  
General Counsel  
Las Vegas Valley Water District  
1001 South Valley Blvd.  
Las Vegas, NV 89153

Re: Coyote Spring Valley Water Supply

Dear Mr. Walch:

The Nevada Division of Water Resources (NDWR) is in receipt of your letter dated November 16, 2017, on behalf of the Las Vegas Valley Water District (LVVWD). In that letter, you provided background on groundwater supply in the Coyote Spring Valley based on existing water rights and related hydrologic data from the NDWR, including Order 1169 pumping test results and the subsequent issuance of Ruling 6255. Your letter concluded by asking the State Engineer, as Administrator of the NDWR, for an opinion regarding the extent to which subdivision maps for the Coyote Springs Development Project (Project) "predicated on the use of groundwater owned by the Coyote Springs Water Resources General Improvement District (CSWRGID) or developers in Coyote Spring Valley" would be executed by the NDWR.<sup>1</sup>

As you are aware, the development of groundwater resources in Coyote Spring Valley, Muddy River Springs Area, California Wash, Hidden Valley and Garnet Valley (*five-basin area*), are inextricably connected and can influence the flows in the Muddy River Springs and the Muddy River. Although your question is specific to the use of existing water rights

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<sup>1</sup> Your letter identified the developers as Coyote Springs Land Development Corporation (CSLD), Coyote Springs Investment LLC (CSI), and Coyote Springs Nevada LLC (CSN), whom are developing the Coyote Springs development project.

Re: Coyote Spring Valley Water Supply  
May 16, 2018  
Page 2

held by the CSWRGID or the Project developers, it is necessary to address your inquiry within the broader context of appropriately managing and developing groundwater resources within the larger *five-basin area*.

### **1169 Pumping Test Background**

During the Order 1169 pumping test conducted from November 2010 through December 2012, approximately 8,500 acre-feet per year of water was pumped from the carbonate aquifer, and 3,700 acre-feet per year was pumped from the alluvial aquifer within the larger *five-basin area*. Almost all of the alluvial pumping came from the Muddy River Springs Area. Results of the 2-year test clearly indicate that pumping at that level from the carbonate aquifer caused unprecedented declines in groundwater levels and flows in the high-altitude springs. These springs have a direct connection to the fully appropriated Muddy River and are part of the source of water for the endangered Moapa Dace, a fish federally listed as an endangered species since 1967, and the decreed senior rights of the Muddy River.

### **Post 1169 Pumping Test Considerations**

Monitoring of pumpage and water levels has continued since the completion of the pumping test on December 31, 2012. This additional data provides NDWR a better understanding of the amount of groundwater pumping that may be sustainable in the *five-basin area* carbonate aquifer. Since completion of the pumping test, groundwater levels and spring flows have remained relatively flat while precipitation has been nearly average and the five-basin carbonate pumping has been about 6,000 afa.

Adding to the consideration as to how much groundwater can be sustainably pumped from the *five-basin area* is the Memorandum of Agreement (MOA) that was entered into on April 20, 2006, between the Southern Nevada Water Authority, the United States Fish and Wildlife Service, Coyote Springs Investment, the Moapa Band of Paiute Indians, and the Moapa Valley Water District. The purpose of the MOA was "to make measurable progress toward protection and recovery of the Moapa dace and its habitat concurrent with the operation and development of water projects for human use." Analysis of the Order 1169 pumping test and the observed correlation between pumping and spring flow indicates that MOA-required curtailment thresholds could be rapidly triggered should carbonate pumping exceed its current rate.

### **Future Groundwater Development**

Ultimately, the amount of groundwater pumping that will be allowed in the *five-basin area* will be limited to the amount that will not conflict with the Muddy River Springs or the Muddy River as they are the most senior rights in the *five-basin area* and, by law must be protected. Moving forward, in order to not conflict with the senior decreed rights and

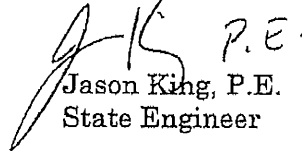
Re: Coyote Spring Valley Water Supply  
May 16, 2018  
Page 3

negatively impact the Moapa Dace, carbonate pumping will have to be limited to a fraction of the 40,300 acre-feet already appropriated in the *five-basin area* as demonstrated by the hydrologic data and analysis from Order 1169 and Ruling 6255.

Therefore, specific to the question raised in your November 16, 2017, letter, considering current pumping quantities as the estimated sustainable carbonate pumping limit, pursuant to the provisions found in Nevada Revised Statutes Chapter 278, 533 and 534, the State Engineer cannot justify approval of any subdivision development maps based on the junior priority groundwater rights currently owned by CWSRGID or CSI unless other water sources are identified for development.

In closing, as outlined in this letter, the matter you're inquiring about is part of a much broader need to appropriately manage groundwater resources across the *five-basin area*. As such, it is incumbent upon the NDWR to work with all the water right holders on a conjunctive management plan for the *five-basin area*.

Sincerely,

 P.E.  
Jason King, P.E.  
State Engineer

cc: Albert Seeno III, Coyote Springs Investments, LLC

# Exhibit 3

**SETTLEMENT AGREEMENT**

This Settlement Agreement is entered into this 29<sup>th</sup> day of August, 2018, by, between and among Coyote Springs Investment, LLC, and Jason King, State Engineer, State of Nevada, Department of Conservation and Natural Resources, Division of Water Resources, parties to Case No. A-18-775817-J.

WHEREAS, Coyote Springs Investment, LLC ("CSI") filed its Petition for Judicial Review in Case No. A-18-775817-J on June 8, 2018;

WHEREAS, Jason King, State Engineer, State of Nevada, Department of Conservation and Natural Resources, Division of Water Resources ("State Engineer"), was named as Respondent in Case No. A-18-775817-J;

WHEREAS, the parties participated in a mediation with the Honorable David Gamble (Ret.) on August 29, 2018, and as a result have resolved and settled the issues raised in Case No. A-18-775817-J;

NOW, THEREFORE, the parties agree as follows:

1. The parties agree that the above-referenced Petition for Judicial Review will be withdrawn or dismissed;
2. The State Engineer does hereby rescind ~~and retract~~ the letter previously executed by him on May 16, 2018 and addressed to the Las Vegas Valley Water District's general counsel; *Letter JB/K*
3. *JB* CSI agrees to participate in good faith in the ongoing administrative process of the State Engineer concerning ~~groundwater in~~ the Lower White River Flow System; *conjointive management of SWS*
4. The State Engineer agrees to process in good faith ~~all maps, plans, inspections, and~~ *any and all or any other issues* ~~submittals~~ as requested by CSI, and/or its agents or affiliates, in accordance with the State Engineer's ordinary course of business ~~governed by applicable regulations and statutory duties;~~ *JB*
5. CSI hereby agrees to withdraw the Petition for Writ of Mandamus currently on file with the Supreme Court of the State of Nevada;

6. This Agreement is entered into by and between the parties without prejudice to any rights they may have regarding future proceedings, events or circumstances; and


7. Each side shall bear their own fees and costs.

DATED this 29<sup>th</sup> day of August, 2018.

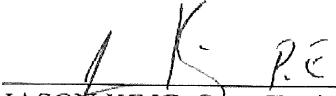
COYOTE SPRINGS INVESTMENT, LLC

BY 

ALBERT D. SEENO, III

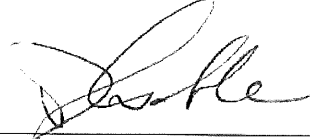
  
KENT R. ROBISON

Attorney for Coyote Springs Investment, LLC

  
JASON KING, State Engineer  
State of Nevada Department of  
Conservation and Natural Resources  
Division of Water Resources

  
JAMES N. BOLOTIN  
Attorney for Jason King, State Engineer

Approved this 29<sup>th</sup> day of August, 2018.

  
HONORABLE DAVID R. GAMBLE

# Exhibit 4



IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

DRAFT ORDER

#DRAFT

DESIGNATING THE ADMINISTRATION OF ALL WATER RIGHTS WITHIN  
COYOTE SPRING VALLEY HYDROGRAPHIC BASIN (210), BLACK  
MOUNTAINS AREA (BASIN 215), GARNET VALLEY (BASIN 216), HIDDEN  
VALLEY (BASIN 217), CALIFORNIA WASH (BASIN 218), AND MUDDY  
RIVER SPRINGS AREA (A.K.A. UPPER MOAPA VALLEY) (BASIN 219) AS  
A SINGLE HYDROGRAPHIC BASIN, LIMITING GROUNDWATER  
PUMPING, AND HOLDING IN ABEYANCE REVIEW OF FINAL  
SUBDIVISION MAPS

I. BASIN DESIGNATIONS PURSUANT TO NRS § 534.030

WHEREAS, the Coyote Spring Valley Hydrographic Basin was designated pursuant to Nevada Revised Statute (NRS) § 534.030 by Order 905 dated August 21, 1985, which also declared municipal, power, industrial and domestic uses as preferred uses of the groundwater resource pursuant to NRS § 534.120.

WHEREAS, the Black Mountains Area Hydrographic Basin was designated pursuant to NRS § 534.030 by Order 1018 dated November 22, 1989, which also declared municipal, industrial, commercial and power generation purposes is to be considered preferred uses of the groundwater resource pursuant to NRS § 534.120, declared irrigation of land using groundwater to be a non-preferred use, and ordered that applications to appropriate groundwater for irrigation will be denied.

WHEREAS, the Garnet Valley Hydrographic Basin was designated pursuant to NRS § 534.030 by Order 1025 dated April 24, 1990, which also declared municipal, quasi-municipal, industrial, commercial, mining, stockwater and wildlife purposes as preferred uses pursuant to NRS § 534.120, and declared irrigation of land using groundwater to be a non-preferred use, and ordered that applications to appropriate groundwater for irrigation will be denied.

WHEREAS, the California Wash Hydrographic Basin was designated pursuant to NRS § 534.030 by Order 1026 dated April 24, 1990, which also declared

municipal, quasi-municipal, industrial, commercial, mining, stockwater and wildlife purposes as preferred uses pursuant to NRS § 534.120, and declared irrigation of land using groundwater to be a non-preferred use, and ordered that applications to appropriate groundwater for irrigation will be denied.

**WHEREAS**, the Hidden Valley Hydrographic Basin was designated pursuant to NRS § 534.030 by Order 1024 dated April 24, 1990, which also declared municipal, quasi-municipal, industrial, commercial, mining, stockwater and wildlife purposes as preferred uses pursuant to NRS § 534.120, and declared irrigation of land using groundwater to be a non-preferred use, and ordered that applications to appropriate groundwater for irrigation will be denied.

**WHEREAS**, the Muddy River Springs Area (a.k.a., the Upper Moapa Valley) was partially designated pursuant to NRS § 534.030 by Order 392 dated July 14, 1971 and was fully designated by Order 1023 dated April 24, 1990, which also declared municipal, quasi-municipal, industrial, commercial, mining, stockwater and wildlife purposes as preferred uses pursuant to NRS § 534.120, declared irrigation of land using groundwater to be a non-preferred use, and ordered that applications to appropriate groundwater for irrigation will be denied.

## **II. ORDERS 1169 AND 1169A**

**WHEREAS**, on March 8, 2002, the State Engineer issued Order 1169 holding in abeyance carbonate-rock aquifer system groundwater applications pending or to be filed in Coyote Spring Valley (Basin 210), Black Mountains Area (Basin 215), Garnet Valley (Basin 216), Hidden Valley (Basin 217), Muddy River Springs Area (a.k.a. Upper Moapa Valley) (Basin 219), Lower Moapa Valley (Basin 220), and ordered an aquifer test of the carbonate-rock aquifer system, which was not well understood, to determine whether additional appropriations could be developed from the carbonate-rock aquifer system.

**WHEREAS**, on April 18, 2002, the State Engineer in Ruling 5115, added the California Wash (Basin 218) to the Order 1169 aquifer pumping test basins.

**WHEREAS**, on November 15, 2010, the Order 1169 aquifer test began whereby the study participants began reporting to the State Engineer on a quarterly basis, the amounts of water being pumped from wells in the carbonate and alluvial aquifer during the aquifer test.

**WHEREAS**, on December 21, 2012, the State Engineer issued Order 1169A declaring the completion of the aquifer test directed in Order 1169 on December 31, 2012, after a period of 25½ months, and providing the study participants until June 28, 2013, the opportunity to file reports with the State Engineer addressing the information gained from the aquifer test and the water available to applications in the aquifer test basins.

**WHEREAS**, during the Order 1169 aquifer test, an average of 5,290 acre-feet per year was pumped from carbonate wells in Coyote Spring Valley, and a cumulative total of approximately 10,180 acre-feet per year of water was pumped from the carbonate aquifer throughout the study basins. An additional 3,700 acre-feet per year was pumped from the Muddy River Springs Area alluvial aquifer.

**WHEREAS**, results of the 2-year test demonstrate that pumping 5,290 acre-feet annually from the carbonate aquifer in Coyote Spring Valley, in addition to the non-study carbonate pumping, caused unprecedented declines in groundwater levels and flows in the Petersen and Peterson East springs, two high-altitude springs, which are considered to be the “canary in the coal mine” springs for the overall condition of the Muddy River. These springs are at the headwaters of the decreed and fully appropriated Muddy River and are the predominate source of water that supplies the habitat of the endangered Moapa Dace, a fish federally listed as an endangered species since 1967.

**WHEREAS**, based upon the findings of the aquifer test, the carbonate aquifer underlying Coyote Spring Valley, Garnet Valley, Hidden Valley, Upper Moapa

Valley, California Wash and the northwest part of the Black Mountains Area<sup>1</sup> (“Lower White River Flow System” or “LWRFS”) was acknowledged to have a unique hydrologic connection and share virtually the same supply of water (see attached map).<sup>2</sup>

### III. RULINGS 6254, 6255, 6256, 6257, 6258, 6259, 6260, AND 6261

WHEREAS, on January 29, 2014, the State Engineer issued Rulings 6254 and 6255 on pending applications in the Coyote Spring Valley, Ruling 6256 on pending applications in the Garnet Valley, Ruling 6257 on pending applications in the Hidden Valley, Ruling 6259 on pending applications in the Muddy River Springs Area, Ruling 6260 on pending applications in the Black Mountains Area, and Ruling 6258 on pending applications in the California Wash, upholding in part the protests to said applications and denying them on the grounds that there is no unappropriated groundwater at the source of supply, the proposed use would conflict with existing rights, and the proposed use of the water would threaten to prove detrimental to the public interest because it would threaten the water resources upon which the endangered Moapa dace are dependent.

### IV. LOWER WHITE RIVER FLOW SYSTEM

WHEREAS, the total water supply to the LWRFS, from subsurface groundwater inflow and local precipitation recharge, is not more than 50,000 acre-feet annually.<sup>3</sup>

WHEREAS, the Muddy River, a fully appropriated surface water source, has its headwaters in the Muddy River Springs Area, or Upper Moapa Valley and has the most senior rights in the LWRFS. Spring discharge in the Muddy River Springs Area

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<sup>1</sup> The area of the Black Mountain Area lying within the Lower White River Flow System is defined as those portions of Sections 29, 30, 31, 32, 33, T.18S., R.64E.: portions of Sections 1, 11, 12, 14, and all of Section 13, T.19S., R.63E.: and portions of Sections 4, 6, 9, 10, 15 and all of Sections 5, 7, 8, 16, 17, 18, T.19S., R.64E., M.D.B.&M.

<sup>2</sup> See, e.g. State Engineer Ruling 6254, p. 24, official records in the Office of the State Engineer.

<sup>3</sup> *Id.*

is produced from the regional carbonate aquifer. Prior to groundwater development, the Muddy River flows at the Moapa gage were approximately 34,000 acre-feet annually.<sup>4</sup>

**WHEREAS**, the alluvial aquifer surrounding the Muddy River ultimately derives virtually all of its water supply from the carbonates, either through spring discharge that infiltrates into the alluvium or through subsurface hydraulic connectivity between the carbonate rocks and the alluvium.<sup>5</sup>

**WHEREAS**, the State Engineer has determined that pumping of groundwater within the LWRFS has a direct interrelationship with the flow of the decreed and fully appropriated Muddy River, which has the most senior rights.<sup>6</sup>

**WHEREAS**, since the conclusion of the Order 1169 aquifer test, the State Engineer has jointly managed the water rights within LWRFS.

**WHEREAS**, the State Engineer, under the joint management of the LWRFS, has not distinguished pumping from wells in the Muddy River Springs Area alluvium from pumping carbonate wells within the LWRFS, although the Muddy River Springs Area basin has consistently been considered among the jointly managed basins.

## **V. PUMPAGE INVENTORIES AND GROUNDWATER LEVELS**

**WHEREAS**, the State Engineer performs annual groundwater pumpage inventories in the Coyote Spring Valley, and in calendar years 2007 through 2010, prior to the aquifer test, and 2013 through 2017, after completion of said test, the

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<sup>4</sup> See, e.g., United States Geological Survey Surface-Water Annual Statistics for the Nation, USGS 09416000 MUDDY RV NR MOAPA, NV, accessed at [https://waterdata.usgs.gov/nwis/annual/?search\\_site\\_no=09416000&agency\\_cd=USGS&referred\\_module=sw&format=sites\\_selection\\_links](https://waterdata.usgs.gov/nwis/annual/?search_site_no=09416000&agency_cd=USGS&referred_module=sw&format=sites_selection_links).

<sup>5</sup> See, e.g. State Engineer Ruling 6254, pp. 24, official records in the Office of the State Engineer.

<sup>6</sup> *Id.*

annual pumping ranged from approximately 1,800 acre-feet to approximately 3,000 acre-feet, with an average of approximately 2,300 acre-feet annually.<sup>7</sup>

**WHEREAS**, the State Engineer performs annual groundwater pumpage inventories in the Black Mountains Area, and in calendar years 2007 through 2010, prior to the aquifer test, and 2013 through 2017, after completion of said test, the annual pumping for the entire basin ranged from approximately 1,000 acre-feet to approximately 2,000 acre-feet, with an average of approximately 1,600 acre-feet annually.<sup>8</sup>

**WHEREAS**, the State Engineer performs annual groundwater pumpage inventories in the Garnet Valley, and in calendar years 2007 through 2010, prior to the aquifer test, and 2013 through 2017, after completion of said test, the annual pumping ranged from approximately 1,000 acre-feet to approximately 2,000 acre-feet, with an average of 1,600 acre-feet annually.<sup>9</sup>

**WHEREAS**, the State Engineer performs annual groundwater pumpage inventories in the California Wash, and in calendar years 2007 through 2010, prior to the aquifer test, and 2013 through 2017, after completion of said test, the annual pumping ranged from approximately 100 acre-feet to approximately 300 acre-feet, with an average of approximately 200 acre-feet annually.<sup>10</sup>

**WHEREAS**, the State Engineer performs annual groundwater pumpage inventories in the Muddy River Springs Area (a.k.a. Upper Moapa Valley), and received reported pumpage data from water right holders, Muddy Valley Water District and Nevada Energy, and in calendar years 2007 through 2010, prior to the aquifer test, and 2013 through 2017, after completion of said test, the annual

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<sup>7</sup> See, e.g. Nevada Division of Water Resources, *Coyote Spring Valley Hydrographic Basin 13-210 Groundwater Pumpage Inventory*, 2017.

<sup>8</sup> See, e.g., Nevada Division of Water Resources, *Black Mountains Area Hydrographic Basin 13-215 Groundwater Pumpage Inventory*, 2017.

<sup>9</sup> See, e.g., Nevada Division of Water Resources, *Garnet Valley Hydrographic Basin 13-216 Groundwater Pumpage Inventory*, 2017.

<sup>10</sup> See, e.g., Nevada Division of Water Resources, *California Wash Hydrographic Basin 13-218 Groundwater Pumpage Inventory*, 2017.

pumping ranged from approximately 3,000 acre-feet to about 7,000 acre-feet, with an average of approximately 5,700 acre-feet annually.<sup>11</sup>

**WHEREAS**, total groundwater pumpage in Coyote Spring Valley, Muddy River Springs Area, California Wash, Hidden Valley, Garnet Valley, and the Black Mountains Area in calendar years 2007 through 2010, prior to the aquifer test, and 2013 through 2017, after completion of said test, ranged from approximately 9,000 to 14,000, and averaged approximately 11,400 acre-feet annually.

**WHEREAS**, during the Order 1169 aquifer test, total pumpage increased to approximately 14,000 acre-feet annually and the resulting water-level decline encompassed 1,100 square miles and extended from northern Coyote Spring Valley through the Muddy River Springs Area, Hidden Valley, Garnet Valley, California Wash, and the northwestern part of the Black Mountains Area.<sup>12</sup> The water-level decline was estimated to be 1 to 1.6 feet in this area with minor drawdowns of 0.5 feet or less in the northern part of Coyote Spring Valley north of the Kane Springs Wash fault zone.

**WHEREAS**, during the Order 1169 pump test, the high-altitude (Petersen and Petersen East) springs showed an unprecedented decrease in flow, with the Pedersen spring flow decreasing from 0.22 cubic feet per second (cfs) to 0.08 cfs, and Petersen East spring flow decreasing from 0.12 cfs to 0.08 cfs. Additional springs, the Baldwin and Jones Springs, declined approximately 4% during the test.<sup>13</sup>

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<sup>11</sup> See, e.g., *Nevada Division of Water Resources, Muddy River Springs Area (A.K.A. Upper Moapa Valley) Hydrographic Basin 13-219 Groundwater Pumpage Inventory*, 2017.

<sup>12</sup> See, e.g., Ruling 6254. See also U.S. Fish and Wildlife Service, U.S. Bureau of Land Management and U.S. National Park Service Order 1169A Report, *Test Impacts and Availability of Water Pursuant to Applications Pending Under Order 1169*, June 28, 2013, official records in the Office of the State Engineer.

<sup>13</sup> U.S. Fish and Wildlife Service, U.S. Bureau of Land Management and U.S. National Park Service Order 1169A Report, *Test Impacts and Availability of Water Pursuant to Applications Pending Under Order 1169*, pp. 43-46, 50-51, June 28, 2013, official records in the Office of the State Engineer. See also <http://waterdata.usgs.gov/nv/nwis/>.

**WHEREAS**, based upon the analysis of the carbonate aquifer test, it was asserted that pumping at the Order 1169 rate at well MX-5 in Coyote Spring Valley could result in both of the high-altitude springs going dry in 3 years or less.<sup>14</sup>

**WHEREAS**, in the five years since completion of the aquifer test, ongoing data monitoring shows that groundwater levels and spring flows have remained relatively flat and precipitation has been about average.<sup>15</sup> Groundwater pumping in the LWRFS over the last 3 years has averaged 9,318 acre-feet annually.<sup>16</sup>

**WHEREAS**, within the LWRFS, there exists more than 40,000 acre-feet of groundwater appropriations.

**WHEREAS**, NRS 533.024(c) directs the State Engineer “to consider the best available science in rendering decisions concerning the availability of surface and underground sources of water in Nevada.”

**WHEREAS**, NRS 533.024(e) was amended in 2017 to declare the policy of the State to “manage conjunctively the appropriation, use and administration of all waters of this State regardless of the source of the water.”

**WHEREAS**, given that the State Engineer must use the best available science and manage conjunctively the water resources in the LWRFS, consideration of any development of long-term uses that could ultimately be curtailed due to water availability will be examined with great caution.

**WHEREAS**, assurances regarding the extent of any additional development of the existing appropriations of groundwater within the LWRFS that can occur

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<sup>14</sup> See, e.g., Ruling 6254. See also U.S. Fish and Wildlife Service, U.S. Bureau of Land Management and U.S. National Park Service Order 1169A Report, *Test Impacts and Availability of Water Pursuant to Applications Pending Under Order 1169*, p. 85, June 28, 2013, official records in the Office of the State Engineer.

<sup>15</sup> See *Standardized Precipitation Index*, Nevada Climate Division 4, <http://wrcc.dri.edu>.

<sup>16</sup> See, e.g. *Nevada Division of Water Resources, Groundwater Pumpage Inventories* for the LWRFS subject basins for the years 2012 through 2017, official records of the Office of the State Engineer.



without adversely affecting the senior rights on the fully decreed Muddy River cannot be made based solely upon the results of the Order 1169 aquifer test.

**WHEREAS**, based upon the review of the data available to the State Engineer in the years since the conclusion of the aquifer test, it is believed that only a very small portion of the existing rights within the LWRFS may be pumped without adversely impacting the senior rights on the Muddy River or the habitat of the Moapa Dace.

## **VI. AUTHORITY AND NECESSITY**

**WHEREAS**, as demonstrated by the results of the aquifer test, Coyote Spring Valley, Muddy River Springs Area, Hidden Valley, Garnet Valley, California Wash, and the northwestern part of the Black Mountains Area have a direct hydraulic connection and interact as a single groundwater basin, and as a result must be administered as a single hydrographic basin, including the administration of all water rights based upon the date of priority of such rights in relation to the priority of rights in the other basins.

**WHEREAS**, pumping approximately 14,000 acre-feet per year, including 5,290 acre-feet per year from Coyote Spring Valley and a total of 10,120 acre-feet from the carbonate aquifer during the pumping test yielded groundwater declines of a foot or more, resulting in an unacceptable loss in spring flow and aquifer storage. In order to not conflict with the senior decreed rights of the Muddy River and negatively affect the Moapa Dace and its habitat, the State Engineer finds that it is necessary to limit pumping to a small percentage of the more than 40,000 acre-feet of appropriated groundwater rights in the LWRFS.

**WHEREAS**, on the basis that only a small percentage of the total quantity of the appropriated groundwater rights within the LWRFS may be developed, the State Engineer, with the following exception, finds that it is necessary to hold in abeyance the review and any decisions relating to any final subdivision or other submission concerning development and construction to the Division of Water Resources seeking a finding that adequate water is available to support the proposed development. The

State Engineer may review and grant approval of a subdivision or other submission if a showing of an adequate supply of water in perpetuity can be made to the State Engineer's satisfaction.

**WHEREAS**, through the public workshop process, which the State Engineer is engaged in at the time of the issuance of this Order, coupled with the continued monitoring of the LWRFS, is intended to develop a more precise understanding of the amount of sustainable groundwater pumpage that may occur within the LWRFS over the long-term without adverse impacts to the Muddy River and the springs that serve as the headwaters of the Muddy River. Moreover, if groundwater cannot be developed in the LWRFS without conflicts to the senior, decreed Muddy River rights and springs, the State Engineer, through the public workshop process, desires to establish a conjunctive management plan for the LWRFS.

**WHEREAS**, through continued monitoring of the LWRFS during the pendency of the public workshop process, while maintaining groundwater pumping in an amount not to exceed the current pumping rate of 9,318 acre-feet annually, a more precise understanding of the amount of sustainable groundwater pumpage will be determined.

**WHEREAS**, the State Engineer is empowered to make such reasonable rules and regulations as may be necessary for the proper and orderly execution of the powers conferred by law.<sup>17</sup>

**WHEREAS**, within an area that has been designated by the State Engineer, as provided for in NRS Chapter 534, where, in the judgment of the State Engineer, the groundwater basin is being depleted, the State Engineer in his or her administrative capacity may make such rules, regulations and orders as are deemed essential for the welfare of the area involved.<sup>18</sup>

**WHEREAS**, the State Engineer finds that additional data relating to the impacts of groundwater pumping from the LWRFS coupled with the public workshop

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<sup>17</sup> NRS § 532.120.

<sup>18</sup> NRS § 534.120.

process will allow his office to make a determination as to the appropriate long-term management of groundwater pumping that may occur in the LWRFS by existing holders of water rights without adversely affecting existing senior decreed rights and the endangered Moapa Dace.

## VII. ORDER

**NOW THEREFORE**, the State Engineer orders:

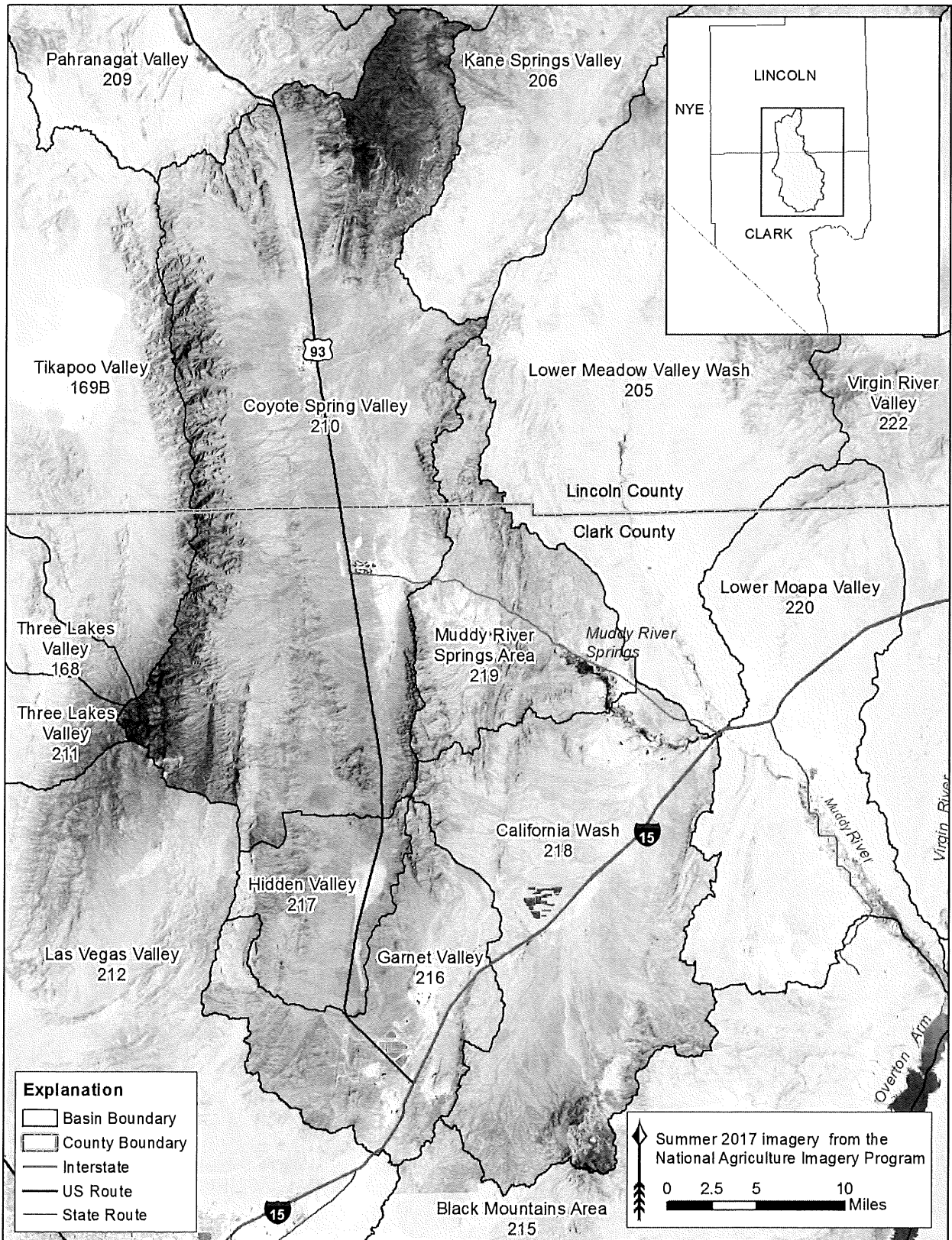
1. The Coyote Spring Valley, Muddy River Springs Area, California Wash, Hidden Valley, Garnet Valley, and the portion of the Black Mountains Area as described in this Order, is herewith designated as a single groundwater basin for purposes of administration of water rights. All water rights within the Lower White River Flow System will be administered based upon their respective date of priorities in relation to other rights within the regional groundwater basin.
2. The total allowable groundwater pumping in the Lower White River Flow System shall not exceed 9,318 acre-feet annually.
3. The date of priority at the limit of 9,318 acre-feet of water rights appropriated within the five-basin carbonate aquifer is within a portion of the water rights bearing a priority date of March 31, 1983.
4. Pumping by water right holders junior to the portion from March 31, 1983, within the 9,318 acre-foot limit, which is in effect as of September 1, 2018, will not be curtailed unless and until unused senior water right pumping exceeds 9,318 acre-feet annually in the Lower White River Flow System.
5. That any final subdivision or other submission concerning development and construction submitted to the State Engineer for review shall be held in abeyance pending the conclusion of the public process to determine the total quantity of groundwater that may be developed within the Lower White River Flow System. The State Engineer may review and grant approval of a subdivision or other submission if a showing of an adequate supply of water in perpetuity can be made to the State Engineer's satisfaction.

6. The State Engineer may consider: (1) a Groundwater Management Plan developed by the water right holders within the Lower White River Flow System as an alternative to any prohibition of out of priority junior groundwater pumping; or (2) allowing additional groundwater pumping over the 9,318 acre-foot limit if it can be demonstrated to the satisfaction of the State Engineer that an alternative source of water will be substituted in a timely manner to replace the additional groundwater pumping unless such additional pumping causes a conflict with existing rights.
7. This Order will be considered when examining applications to change the point of diversion from alluvial wells to carbonate wells in the Lower White River Flow System and will be subject to heightened scrutiny for determination of conflict with existing rights.
8. This Order will be considered when examining applications to change the point of diversion, place of use, or manner of use of an existing water right and in examining requests for extension of time for filing Proofs of Completion of Work or Proofs of Application of Water to Beneficial Use and Extensions of Time to Prevent the Working of a Forfeiture filed within the Lower White River Flow System.

**DRAFT**

JASON KING, P.E.  
State Engineer

Dated at Carson City, Nevada this  
\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



# Exhibit 5



# Exhibit 5(a)



## **KENT R. ROBISON**

### **EDUCATION**

University of Nevada, Reno - 1969 (B.A.)

University of San Francisco, School of Law - 1972 (J.D.)

### **OCCUPATIONAL BACKGROUND**

1971 - Carson City District Attorney's Office

1972-1975 - Washoe County Public Defender's Office

1975-1979 - Johnson, Belaustegui & Robison

1979-1981 - Johnson, Belaustegui, Robison and Adams

1981-1988 - Robison, Lyle, Belaustegui & Robb

1988 to 1999 - Robison, Belaustegui, Robb & Sharp

1999 to present - Robison, Belaustegui, Sharp & Low

### **COURTS ADMITTED TO PRACTICE**

Nevada Supreme Court - 1972

Nevada Federal District Court - 1973

Ninth Circuit Court of Appeals - 1976

Court of Claims - 1973

United States Tax Court - 1982

United States Supreme Court - 1977

Northern District of California Federal Court

Eastern District of California Federal Court

Southern District of California Federal Court

District of Arizona Federal Court

District of Kansas Federal Court

District of Hawaii Federal Court

District of Western Washington Federal Court

District of New Mexico Federal Court

### **PROFESSIONAL AFFILIATIONS & ACTIVITIES**

Nevada Supreme Court Trial Judge Seminar - Judge's Relationship With Lawyers -  
2009 & 2012

Nevada Supreme Court - Bench Bar Committee - 2009-2011

Member - Nevada Supreme Court's Committee on Court Costs and Speedy Trials

Member - State Commission on Sentencing Felony Offenders

Member - Executive Committee to Establish Appellate Court

Member - Commission to Implement Cameras in the Courtroom

Member - Committee on Rules of Civil Procedure

Member - Ad Hoc Committee for Improved Technology in Nevada Federal Court Rooms

American Trial Lawyer's Association - ATLA Sustaining Member - ATLA Stalwart

Member - Professional Liability Section of ATLA

Roscoe Pound Foundation

National Association of Criminal Defense Lawyers

Nevada Trial Lawyer's Association - Past President - 1979

Member of NTLA Board of Governors 1973-1983

NTLA Pillar of Justice

American Board of Trial Advocates - President, Reno Chapter, 1991-1993

Nevada State Board of Bar Governors - 1980 to 1990

Northern Nevada Legal - Medical Screening Panel (1981-1985)

Washoe County Juvenile Master Pro Tem (1975-1977)

Diplomat - National Board of Trial Advocacy - Civil  
Diplomat - National Board of Trial Advocacy - Criminal  
American Bar Association (1972-present)  
Member - ABA Litigation Section  
Nevada State Bar Association (1972-present)  
Washoe County Bar Association  
American Board of Criminal Lawyers  
Nevada State Bar Ethics Committee - Ex-officio  
Nevada State Bar Jury Instruction Committee - Ex-officio  
American Inns of Court (Charter Member and as Master)  
Honorable Bruce R. Thompson Chapter  
American College of Barristers  
Member - Board of Trustees - Justice League of Nevada (2012-2013)  
(Formerly Nevada Law Foundation)

### **RECOGNITION**

The Best Lawyers in America - 1993-2013 (21 years) (Personal Injury/Commercial Litigation)  
Named Top Attorneys - "Super Lawyers" of the Mountain States - 2007-2017 - Top 5%  
Named by the American Law Journal to the Nation's Top 100 Commercial Litigation Lawyers  
Chambers USA Leading Litigation and Business Lawyers - Tier I Nevada Trial Lawyers  
Outstanding Lawyers of America = 2003  
American College of Barristers - Senior Counsel  
College of Master Advocates  
Martindale's "Bar Registry of Preeminent Lawyers" in five categories  
(Business Litigation, Personal Injury (Plaintiff and Defense), Domestic and Criminal)  
Who's Who in the Law  
Who's Who in the West  
Who's Who in America  
Certified Criminal Trial Advocate - National Board of Trial Advocacy - 1980  
Certified Civil Trial Advocate - National Board of Trial Advocacy -1980  
National College of Trial Advocacy - Faculty Advanced Course  
Category I (Highest Rating) National Directory of Criminal Lawyers  
"AV" Martindale-Hubbell "Preeminent" Rating - Highest Rating in Ability and Ethics  
Master (Emeritus) and Charter Member of The American Inns of Court - Reno Chapter  
Litigation Counsel of America - Trial Lawyer Honorary Society  
Fellow - Litigation Counsel of America  
Corporate Counsel Top Lawyers -2010  
Top Commercial Litigation Lawyers - 2006 - 2011  
National Trial Lawyers - Top 100 Trial Lawyers - 2011 - 2013  
Robison, Belaustegui, Sharp & Low - U.S. News - Best Law Firms - Reno Tier 1 - 2011  
Commercial Litigation, Corporate Law and Personal Injury  
America's Top 100 Attorneys - Lifetime Achievement - 2016  
Fellow - American College of Trial Attorneys - Top 1% Trial Lawyers

### **AUTHORSHIP**

Cameras in the Courtroom (Advocate - Vol. IV., No. 2, February 1980)  
Nevada's Comparative Negligence (Advocate - Vol. I., No. 9, January 1977)

Psychology and Eye Witness Identification (Advocate - Vol. II., No. 2, November, 1977)  
 Juries & Verdicts - Nevada Handbook on Civil Procedure  
 The Gaming Industry's Other Gamble - Tort Litigation  
 The Law of Jury Selection (NBI 1996)  
 Special Tools for Selecting the Right Jury (NBI 1996)  
 Inadequate Security Issues in the Intentional Tort Arena  
 (Professional Educational Systems 1996)  
 Inadequate Security Cases Involving Violent Crimes - From a Defense View  
 (ATLA January 1997)  
 Direct Examination and Demonstrative Evidence "Tools For Proving" (Consumer Attorneys of  
 San Diego 1998)  
 "Initial Considerations Regarding Use of Expert Witnesses" (NBI 1998)  
 Comparative Cross-Examination and Strategies For Impeachment (NBI 1998)  
 The Defense Attorney's "Dirty Dozen" (Defense Considerations in Negligent Security Cases)  
 (ATLA January 1999)  
 Damages: The Art of Asking for Money (NTLA Annual Seminar)  
 Jury Trials - Nevada Civil Practice Manual (2000-2013)  
 Trial Lawyers' Relationship with the Trial Judge in Civil Actions  
 (2008 & 2012 Nev. S. Ct. Trial College)  
 Complex Themes and Opening Statements (NBI 12/14/16)

### **DEFENSE EXPERIENCE**

Since 1991 extensive defense work has been provided for the Mandalay Resort Group, General  
 Star Management Company, ALAS, Allianz Insurance Company and individuals in the areas of  
 negligent security, toxic mold, unnecessary force, professional liability, defective construction,  
 intentional torts and negligence.

### **LECTURES**

Western Nevada Community College - Annual "Criminal Defense Trial Tactics"  
 Reno Police Academy - 1976 - "Motions to Suppress Evidence"  
 California Legal Secretaries Association - 1979 - "Capital Punishment"  
 Nevada Trial Lawyers Annual Convention - 1977 - "Closing Arguments in Criminal Trials"  
 University of Nevada, Reno, Department of Criminal Science - 1978 - "Defense Strategy"  
 Reno Business College - "Organization of Criminal Files" - 1980  
 Nevada Society of Safety Engineers  
 ATLA's 1984 Annual Convention, Seattle, Washington, Belli Seminar - "Lay  
 Use of the Psychological Stress Evaluator as a Civil Cause of Action"  
 Washoe County Bar Association - May 14, 1985 - "Preparation of Personal Injury Cases"  
 Legal Aspects of Mandatory Drug Testing of Collegiate Athletes - 1986  
 Psychology and Jury Selection - 1987  
 New Rules of Civil Procedure - 1987  
 Psychology of Jury Selection - Nevada Trial Lawyers Annual Convention - 1988  
 Nevada Law on Bad Faith Insurance Practices - Nevada Trial Lawyers - 1993  
 Gaming Industry and Tort Litigation - 1994  
 Premises Liability: Inadequate or Negligent Security - 1996  
 Strategies for Selecting Juries - 1996  
 Premises Liability - Defense View - ATLA Mega Seminar - 1997  
 Expert Witness - Selection, Preparation and Presentation - NBI 1998  
 Direct Examination and Demonstrative Evidence - 1998

Premises Liability Cases - From a Defense View - ATLA - Phoenix - Feb. 1999  
Damages - "How to Ask for Money" - NTLA Annual Convention - Oct. 1999  
Masters in Trial - Closing Argument (ABOTA-Masters in Trial) - Dec. 1999  
Damages: How to Minimize; How to Maximize - Inns of Court - Jan. 2000  
Masters in Trial - 2002 - 2005 - 2006  
Inns of Court Presentations: Jury Selection; Opening Statements; Child Witnesses;  
Eye Witness Testimony; Expert Witness Examinations  
Presenter for Difficult Voir Dire Issues (2009 Nev. S. Ct. Trial College)  
UNR Medical School Presenter - "Interaction Between Legal and Medical Professions" - 2/2011  
"Role of the Judge" (new judge orientation) (2012 Nev. S. Ct. Trial College)  
Presenter - Nevada State Bar Convention - "Direct Examination" - July 2013  
Advanced Civil Litigation Skills of Nevada Introducing Complex Themes and Technology During  
Opening Statements (NBI 2016)

### **NEVADA SUPREME COURT / APPELLATE CASES**

*City of Reno v. David Evans* (Case No. 63266)  
*Renown v. Arger et als* (Case No. 64455)  
*Matthew Boga v. TMC Group, Inc. / Matthew J. Fuller* (Case No. 62738/63531)  
*Patraw v. Nevada System of Higher Education, Milton Glick, Cary Groth*  
(Case No. 53918/54573)  
*Patraw v. Nevada System of Higher Education, Milton Glick, Cary Groth* (Injunction)  
(Case No. 55433)  
*Furer v. Furer* (Case No. 51198)  
*EES v. Gunnerman, Sulphco, Inc.* (Case No. 50324)  
*Darren Mack v. Michael E. Fondi* (Case No. 51536)  
*Landmark Homes v. Sierra Gateway*, 121 Nev. 1143, 152 P.3d 783 (2005)  
*Ferguson v. Sierra Gateway / Landmark* - 2007 (appeal from U.S. Bankruptcy Court)  
*Lexey Parker v. St. Mary's*, 121 Nev. 1174, 152 P.3d 809 (2005)  
*Farhadi v. CB Commercial*, 118 Nev. 1089, 106 P.3d 1209 (2002)  
*Farhadi v. CB Commercial*, 131 P.3d 589 (2004)  
*Hazelwood v. Harrah's*, 109 Nev. 1005, 862 P.2d 189 (1993)  
*Oak Grove Investors v. Bell & Gossett*, 108 Nev. 958, 843 P.2d 351 (1992)  
*Williams v. State Farm/Sierra Foods v. Williams*, 107 Nev. 574, 816 P.2d 466  
*State v. Batt*, 111 Nev. 1127, 901 P.2d 664 (1995)  
*Amoroso v. L & L Roofing*, 107 Nev. 294, 810 P.2d 775  
*Swain v. Meyer*, 104 Nev. 595, 763 P.2d 337 (1988)  
*State v. Kaplan*, 96 Nev. 798, 618 P.2d 354 (1980)  
*State v. Kaplan*, 99 Nev. 449, 663 P.2d 1190 (1983)  
*Bell v. ATO*  
*Eikelberger v. Tolotti*, 96 Nev. 525, 611 P.2d 1086 (1980)  
*Friedas v. Quinn River*, 101 Nev. 471, 705 P.2d 673 (1985)  
*Fondi v. Fondi*, 106 Nev. 856, 802 P.2d 1264 (1990)  
*State v. Fogarty*, 108 Nev. 1234, 872 P.2d 817 (1992)  
*State v. Bishop* (Death Penalty)  
*State v. Biederstadt / Hurt*, 92 Nev. 80, 545 P.2d 202 (1976)  
*State v. Lendon*, 92 Nev. 112, 546 P.2d 234 (1976)  
*Grand Sierra Resort v. Peppermill Casinos, Inc.* (pending)

**NINTH CIRCUIT COURT OF APPEALS:**

*Talisman Capital Talon Fund, Ltd. v. Gunnerman, Sulphco, Inc.* (Case No. 09-16256)

*Wild Game Ng v. Wong's International (USA) Corp.* (Case No. 08-15616)

*Hussein v. Dugan* (Case No. 08-17443)

*Montreux v. Pitts*, 130 Fed. Appx. 80 WL 663810CA9 (Nev. 2005)

*Shipman v. Allstate*

**GENERAL**

Born in Reno, Nevada 1947. Raised and educated in Reno, Nevada. Jury trials in state in and federal courts of six states. Received verdicts in over 100 jury trials. Ten Judgments over \$1,000,000 with total value in excess of \$600,000,000. Tried over 500 non-jury (court) trials.

Practice has included litigation experience in medical malpractice cases, both for plaintiffs and for defendants, and legal malpractice cases for both plaintiffs and defendants. Practice has included substantial experience in litigating premises liability cases for both plaintiffs and defendants. Practice has included substantial and extensive litigation for both plaintiffs and defendants with a focus on business torts. Practice has included substantial employment litigation. Practice has included substantial experience in litigating financial transactions, lender liability and collection efforts in commercial transactions for both plaintiffs and defendants. Practice has included substantial experience in litigating complex real estate transactions. Practice has included trust and estate planning litigation and trials, jury and non-jury. Practice has included the representation of lawyers, judges and elected officials. Practice also includes substantial experience in handling trade secret litigation for Nevada gaming properties and other commercial entities.

# Exhibit 5(b)

**Detail Fee Transaction File List**  
Robison, Sharp, Sullivan & Brust

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount		Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	06/23/2020	44	A	9	260.00	1.00	260.00	Review proposed petition (0.8). Research regarding timeline to file (0.2).	ARCH
1219.032	06/23/2020	1	A	9	500.00	0.90	450.00	Continue review of Bill's complaint. Collaborate with Therese on how and when or if we respond to SNWA's petition.	ARCH
1219.032	06/24/2020	1	A	9	500.00	0.80	400.00	Work on setting up conference with Albert through Emilia. Continue to review and scrutinize bills, proposed complaint, writ for mandamus, and petition for judicial review.	ARCH
1219.032	06/25/2020	44	A	9	260.00	1.00	260.00	Research regarding petition.	ARCH
1219.032	06/25/2020	1	A	9	500.00	1.30	650.00	Telephone conference with Emilia regarding options available to challenge order 1309. Continue review of 1309. Confer with Therese regarding shortened time periods for cross petition and counter petition. Commence preparation of litigation budget/schedule for Albert's review on July 2nd.	ARCH
1219.032	06/29/2020	1	A	9	500.00	1.30	650.00	Continue to review all Bill's complaint. Continue to review NRS 233(b) versus 533.450 regarding timing on cross petition and counter petition. Work on litigation budget for Albert's review and consideration.	ARCH
1219.032	06/30/2020	1	A	9	500.00	1.60	800.00	Work on budget letter. Emails to and from Emilia concerning timing of filing opposition. Continue to review draft and made comments, particularly in light of Carl's reference to Kane Springs not being in CMA.	ARCH
1219.032	06/30/2020	52	A	9	140.00	0.40	56.00	Assist attorney K. Robison with litigation budget and letter to client regarding same.	ARCH
1219.032	06/30/2020	44	A	9	260.00	1.00	260.00	Call with client (0.5). Research regarding various issues (0.5).	ARCH
1219.032	07/01/2020	1	A	9	500.00	0.90	450.00	Did research concerning ability to amend petition if filed in Clark County and Lincoln County is dismissed. Research Bill's taking complaint and prepare for tomorrow's conference with all clients and participants.	ARCH
1219.032	07/01/2020	44	A	9	260.00	1.00	260.00	Research regarding venue.	ARCH
1219.032	07/02/2020	1	A	9	500.00	2.90	1,450.00	Prepare for and participate in telephone conference with Jeanne, Albert, Emilia concerning salient issues with respect to processing PJR, complications associated therewith and essentially grounds to avoid on res judicata/claim preclusion issues. Participate in discussions with Steve Reich concerning merits of challenging 1309.	ARCH
1219.032	07/03/2020	1	A	9	500.00	1.00	500.00	Work on revisions to PJR. Work on research concerning Rule 24 motions to intervene. Research Rule 42 on joint consolidation of all claims.	ARCH
1219.032	07/06/2020	1	A	9	500.00	1.90	950.00	Continued to review risks of filing in Lincoln County with Emilia. Reviewed first draft of Petition for Judicial Review. Made comments and suggested changes concerning Interim Order 1303, the first and second Petition for Judicial Review actions and references to prior State Engineer findings that Kane Springs should not be included in conjunctive management area.	ARCH
1219.032	07/06/2020	44	A	9	260.00	2.00	520.00	Research regarding stream systems (1). Review draft PJR (1).	ARCH
1219.032	07/07/2020	1	A	9	500.00	4.00	2,000.00	Zoom conference meeting with Steve, Brad, Carl, Hannah, Therese, Emilia and Jeanne regarding strategies for filing, conflicts of interest, and inclusion of counsel of record. Work on revisions to petition. Work on issue/claim preclusion matters under Five Star Capital reasoning. Work on service list technicalities under NRS 533.450 (3) and review of prior certificates of service.	ARCH

**Detail Fee Transaction File List**  
Robison, Sharp, Sullivan & Brust

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount		Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	07/07/2020	44	A	9	260.00	1.00	260.00	Zoom regarding petition.	ARCH
1219.032	07/07/2020	50	A	9	220.00	2.50	550.00	Research issue/claim preclusion (1.0). Review PJR (5). Zoom meeting with KRR, TMS, Emilia, Brad, Steve. (1.0).	ARCH
1219.032	07/08/2020	1	A	9	500.00	4.70	2,350.00	Work on petition. Work on service of process.	ARCH
1219.032	07/08/2020	50	A	9	220.00	1.50	330.00	Review caselaw on issue/claim preclusion and draft suggested paragraphs for inclusion in PJR in anticipation of State Engineer raising those arguments in MTD.	ARCH
1219.032	07/09/2020	44	A	9	260.00	0.60	156.00	Review petition/filing.	ARCH
1219.032	07/10/2020	44	A	9	260.00	1.00	260.00	Research regarding Judge.	ARCH
1219.032	07/13/2020	1	A	9	500.00	1.20	600.00	Work on matrix of filings and looked into whether "interested parties" are indispensable parties under Rule 19 and should therefor be joined as a matter of law.	ARCH
1219.032	07/14/2020	1	A	9	500.00	1.90	950.00	Work on issues for Lincoln County, 3 more cases in Clark Co. Telephone conference with Brad, Therese, Emilia regarding strategy. Work on letter to Bolotin regarding ROA.	ARCH
1219.032	07/14/2020	44	A	9	260.00	0.50	130.00	Call with client.	ARCH
1219.032	07/16/2020	44	A	9	260.00	0.60	156.00	Research regarding fees (0.2). Call with client (0.4).	ARCH
1219.032	07/17/2020	44	A	9	260.00	3.00	780.00	Research regarding consolidation (1). Research regarding NEFR (1). Draft motion to consolidate and edit (1).	ARCH
1219.032	07/18/2020	44	A	9	260.00	1.00	260.00	Edits and emails regarding motion to consolidate.	ARCH
1219.032	07/20/2020	1	A	9	500.00	2.90	1,450.00	Work on motion to consolidate with Therese. Did revisions. Deleted references to exhibits. Start compiling index and summary of each petition filed by all Inc. Petitioners (including CSI). Telephone conference with Paul Taggart. Work on stipulation and proposed order dismissing 1303 PJR.	ARCH
1219.032	07/21/2020	1	A	9	500.00	1.70	850.00	Review each PJR filed by others. Telephone conference with Emilia. Review and process charts and separate files. Research inter-county consolidation issues for Lincoln County PJR. Telephone conference with Carl Hall regarding Musick.	ARCH
1219.032	07/21/2020	44	A	9	260.00	1.20	312.00	Research regarding claim preclusion (1). Review miscellaneous emails (0.2).	ARCH
1219.032	07/21/2020	52	A	9	140.00	0.30	42.00	Prepare attorney notebook with petition for judicial review and exhibits.	ARCH
1219.032	07/21/2020	52	A	9	140.00	0.20	28.00	Prepare attorney notebook with petition for judicial review filed by Apex Holding Company.	ARCH
1219.032	07/21/2020	52	A	9	140.00	0.30	42.00	Prepare attorney notebook with petition for judicial review filed by CBD.	ARCH
1219.032	07/21/2020	52	A	9	140.00	0.20	28.00	Prepare attorney notebook with petition for judicial review filed by COGEN.	ARCH
1219.032	07/21/2020	52	A	9	140.00	0.60	84.00	Review petition and divide same into single pages. Prepare attorney notebook with petition for judicial review.	ARCH
1219.032	07/21/2020	52	A	9	140.00	0.30	42.00	Prepare attorney notebook with petition for judicial review filed by Georgia-Pacific.	ARCH
1219.032	07/22/2020	1	A	9	500.00	1.00	500.00	Work on motion to consolidate. Receive, review SNWA's motion to consolidate. Review NRS 42 regarding consolidation "with" versus "in" and distributed memo to be determined how we should proceed with regard to "first in time" with SNWA's being now considered properly filed. Review in detail SNWA's motion to consolidate and compare their versions of each petition with petitions filed by parties in Clark County. Telephone conference with Emilia.	ARCH
1219.032	07/22/2020	44	A	9	260.00	1.00	260.00	Review regarding various filings.	ARCH
1219.032	07/23/2020	1	A	9	500.00	1.90	950.00	Emails to and from Sylvia Harrison. Telephone	28 ARCH



**Detail Fee Transaction File List**  
Robison, Sharp, Sullivan & Brust

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount	Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
							conference with Brad. Telephone conference with Emilia. Work on researching "notice of intent to participate" versus intervener under Rule 42. Work on motions to intervene in all petitions. Work on formal recommendation to client regarding motions to consolidate. Receive and review State Engineer's motion to change venue.	
1219.032	07/23/2020	44	A	9	260.00	1.00	260.00	ARCH
1219.032	07/23/2020	52	A	9	140.00	0.90	126.00	ARCH
1219.032	07/24/2020	1	A	9	500.00	6.40	3,200.00	ARCH
							Email Brad. Telephone conference with Brad. Sent out proposal to Emilia and Brad suggesting consolidation of all 7 cases in SNWA's pending matter, together with a notice of intent to participate in each of the other 7 cases, together with a suggestion that a motion to intervene be filed by CSI in each and every of the other 7 cases. Prepare a stipulation to consolidate for all parties review. Sent to all parties. Work on a motion to consolidate and to intervene in SNWA's action. Work on a motion to intervene in Apex action. Draft a motion to intervene in Co-Gen's action. Draft a motion to intervene in Georgia Pacific's action. Draft a motion to participate in the Muddy River action and a motion to intervene in the CBD action. Email traffic regarding discussions with Vidler/Lincoln County. Submit a common interest privilege confirmation. Set up a telephone conference for next Tuesday with Vidler/Lincoln County. Work on a motion to intervene in to the Vidler action in Lincoln County. Exchange emails with Bolotin and Taggart regarding language for stipulation to consolidate all cases. Commence work on opposition to motion to change venue in the Lincoln County pending PJR.	
1219.032	07/24/2020	44	A	9	260.00	0.20	52.00	ARCH
1219.032	07/24/2020	52	A	9	140.00	0.20	28.00	ARCH
1219.032	07/24/2020	52	A	9	140.00	0.20	28.00	ARCH
1219.032	07/24/2020	52	A	9	140.00	0.20	28.00	ARCH
1219.032	07/24/2020	52	A	9	140.00	0.20	28.00	ARCH
1219.032	07/24/2020	52	A	9	140.00	0.20	28.00	ARCH
1219.032	07/27/2020	52	A	9	140.00	1.00	140.00	ARCH
1219.032	07/27/2020	52	A	9	140.00	0.30	42.00	ARCH
1219.032	07/27/2020	52	A	9	140.00	0.40	56.00	ARCH
1219.032	07/27/2020	52	A	9	140.00	0.30	42.00	ARCH
1219.032	07/27/2020	52	A	9	140.00	0.40	56.00	ARCH
1219.032	07/27/2020	52	A	9	140.00	0.30	42.00	ARCH
1219.032	07/29/2020	52	A	9	140.00	0.30	42.00	ARCH
1219.032	07/29/2020	52	A	9	140.00	0.20	28.00	ARCH
1219.032	07/29/2020	52	A	9	140.00	0.20	28.00	ARCH

<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>H P</u>	<u>Tcode/ Task Code</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>		<u>Ref #</u>
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	07/29/2020	52	A	9	140.00	0.30	42.00	Revise Motion to Intervene into Georgia Pacific case at the request of K. Robison.	ARCH
1219.032	07/29/2020	52	A	9	140.00	0.20	28.00	Revise Motion to Intervene into Nevada Cogen case at the request of K. Robison.	ARCH
1219.032	07/29/2020	1	A	9	500.00	1.60	800.00	Continue to facilitate execution of various petitioners on joint stipulation for consolidation. Telephone conference with Rob Dotson regarding fugitive motion for leave to file complaint and confirm willingness to sign joint stipulation for consolidation. Receive permission and esign for Bolotin, Taggart - filed and served with all execution and esignatures on stipulation to consolidate and draft order.	ARCH
1219.032	07/30/2020	44	A	1	260.00	1.00	260.00	Review Memorandum of Agreement.	ARCH
1219.032	07/30/2020	1	A	9	500.00	3.30	1,650.00	Work on and complete motion to intervene - Apex, motion to intervene - Georgia Pacific, motion to intervene - Muddy River, motion to intervene - CoGeneration, motion to intervene - CBD. Phone conferences with Emilia. Analysis of profitability. Continue review of complaint for "taking". Emails to and from Sylvia Harrison regarding deadlines and a scheduling conference. Work with Hannah concerning CSI's opposition to State Engineer's motion to change Lincoln County/Vidler action to Clark County.	ARCH
1219.032	07/31/2020	52	A	9	140.00	0.80	112.00	Detailed review of PJR dockets and prepare list of filings in each PJR case at request of K. Robison.	ARCH
1219.032	08/03/2020	1	A	9	500.00	0.40	200.00	Email interactions and stipulation to withdraw Sylvia Harrison's motion to consolidate in light of joint stipulation to consolidate.	ARCH
1219.032	08/04/2020	52	A	9	140.00	0.80	112.00	Identify and compile exhibits for use with Opposition to Motion to Transfer Venue. Brief meeting with K. Robison regarding same.	ARCH
1219.032	08/04/2020	44	A	1	260.00	0.50	130.00	Review redlines.	ARCH
1219.032	08/04/2020	52	A	9	140.00	0.10	14.00	Review Response by State Engineer to LVVWD and SNWA's Motion to Consolidate.	ARCH
1219.032	08/04/2020	1	A	9	500.00	3.40	1,700.00	Work on joint notification for stipulation to consolidate. Work on opposition to change venue. Telephone conference with Rob Dotson. Telephone conference with Emilia regarding opposition to motion to intervene.	ARCH
1219.032	08/05/2020	44	A	1	260.00	0.60	156.00	Review edits to Opposition Motion Change Venue.	ARCH
1219.032	08/05/2020	52	A	9	140.00	0.20	28.00	Revise, finalize and file Notice of Stipulation for Consolidation for Georgia Pacific case from Department 18 to Department 19.	ARCH
1219.032	08/05/2020	52	A	9	140.00	0.20	28.00	Revise, finalize and file Notice of Stipulation for Consolidation for Coyote Springs Investment case from Department 1 to Department 19.	ARCH
1219.032	08/05/2020	52	A	9	140.00	0.30	42.00	Revise, finalize and file Notice of Stipulation for Consolidation for Apex case from Department 28 to Department 19.	ARCH
1219.032	08/05/2020	52	A	9	140.00	0.20	28.00	Revise, finalize and file Notice of Stipulation for Consolidation for Nevada Cogen case from Department 8 to Department 19.	ARCH
1219.032	08/05/2020	52	A	9	140.00	0.30	42.00	Revise, finalize and file Notice of Stipulation for Consolidation for Center for Biological Diversity case from Department 2 to Department 19.	ARCH
1219.032	08/05/2020	1	A	9	500.00	4.80	2,400.00	Prepare for meeting with Albert. Prepare 7 notices for each of the Clark County actions. Notice of stipulation to consolidate. Draft joint stipulation for each petitioner to be considered an intervener in each of the other pending petitions in Clark County. Work on, finalize, and file CSI's opposition to NSE's motion to change venue of Lincoln County/Vidler	ARCH

**Detail Fee Transaction File List**  
Robison, Sharp, Sullivan & Brust

<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>H P</u>	<u>Tcode/ Task Code</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>	<u>Ref #</u>
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
1219.032	08/05/2020	52	A	9	140.00	0.20	28.00	ARCH
							lawsuit petition against NSE. Revise, finalize and file Notice of Stipulation for Consolidation for Muddy Valley Irrigation case from Department 2 to Department 19.	
1219.032	08/06/2020	1	A	9	500.00	5.50	2,750.00	ARCH
							Prepare for meeting with Albert and Emilia regarding feasibility, practicality, and likelihood of success. Office conference with Albert and Emilia for analysis of options and scenarios. Work on stipulation for intervention allowing SNWA to intervene in ours and us to intervene in SNWA's. Finalize joint stipulation for all petitioners to be allowed to intervene in all other petitioners lawsuits. Distribute both to all counsel for all 7 petitioners in Clark County.	
1219.032	08/11/2020	1	A	9	500.00	0.60	300.00	ARCH
							Telephone conference with Rob Dotson regarding Muddy Valley's fugitive and inappropriate motion for leave to file complaint and intervention. Prepare stipulation dismissing and withdrawing same. Work on and complete response to SNWA's motion to change venue and SNWA's motion to intervene (joinder). Telephone conference with Sylvia Harrison regarding stipulation to consolidate in light of motion to intervene and whether joint intervention was permissible.	
1219.032	08/12/2020	1	A	9	500.00	1.30	650.00	ARCH
							Receive documents from Emilia and review November 16th SNWA meeting minutes regarding authority to file case. Review 1995 amended cooperative agreement, minutes of the March 6, 2019 meeting ethics opinion regarding defective filing if not approved by public body filing complaint. Review Southern Nevada Water Board of Directors agenda item of November 16, 2017 and compare to memo on SNWA appeal of 13-9.	
1219.032	08/12/2020	1	A	9	500.00	1.10	550.00	ARCH
							Work on first draft of joint stipulation to allow joint intervention in each other's petitions. Email Taggart. Telephone conference with Taggart. Research "Bank of America case". Telephone conference with James Bolotin regarding intervention stipulation. Respond to Sylvia Harrison regarding joint intervention stipulation. Email traffic with Karen Peterson concerning CSI's joinder in Vidler's opposition to SNWA's motion to intervene. Telephone conference with law clerk in Department 19 regarding whether order will be submitted to Judge allowing consolidation of seven actions in Clark County being consolidated in Department 19. Circulate stipulation and obtain consent from all petitioners in all parties who have appeared in the Lincoln County action to agree to service by email. Draft and circulate stipulation. Correspondence and email exchanges between Balducci, Flangas, Dotson, Cavanaugh-Bill, Morrison, Caviglia, and Frehner regarding interventions, service by email, and submission of order for consolidation.	
1219.032	08/13/2020	1	A	9	500.00	3.30	1,650.00	ARCH
							Telephone conference and exchange emails with Rob Dotson concerning Muddy Valley irrigation, willingness to stipulate to consolidation. File joinder in Lincoln County's opposition to SNWA intervention. Email traffic and phone discussions with James Bolotin and Paul Taggart regarding language of stipulation for joint intervention pursuant to NRCP 24(b) as opposed to NRCP 24(a). Revise stipulation and include additional language. Telephone conference with Sylvia Harrison	

<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>H P</u>	<u>Tcode/ Task Code</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>	<u>Ref #</u>
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
							regarding distinction between 24(a) and 24(b). Distribute and circulate proposed stipulation, including 24(a) language. Email traffic with James Bolotin, Sylvia Harrison, Alex Flangas, and Rob Dotson.	
1219.032	08/14/2020	1	A	9	500.00	0.60	300.00 Draft joinder in Vidler's opposition to LVVWD's motion to intervene. Work on redrafting order granting consolidation to include language that each case is separate and distinct pending joint administration and submit same to court.	ARCH
1219.032	08/17/2020	1	A	9	500.00	0.90	450.00 Continue work on drafting order permitting and granting stipulation for joint intervention in each other's petitions for judicial review. Work with Therese on opposition to SNWA's motion to change venue in Lincoln County case.	ARCH
1219.032	08/19/2020	1	A	9	500.00	0.90	450.00 Complete opposition to State Engineer's motion to change venue. Process through Amanda with CD of exhibits.	ARCH
1219.032	08/20/2020	1	A	9	500.00	0.90	450.00 Receive and watch State Engineer's representations and presentation to Sam Shad made by Brad Crowl. Telephone conference with Tim O'Connor. Emails confirming extension of time in which to file reply to CSI's opposition to SNWA's motion to change venue.	ARCH
1219.032	08/21/2020	1	A	9	500.00	2.10	1,050.00 Review Tim O'Connor's suggestion that stipulation be done away with in lieu of non-oppositions to each other's motion. Review Emilia's law on case being dismissed for filing before public agency approves filing. Communicate regarding extension of time in which to respond to pending motion.	ARCH
1219.032	08/25/2020	1	A	9	500.00	1.80	900.00 Telephone conference with Bill Coulthard regarding interaction and interrelationship between PJR's and complaint for "taking". Discuss strategies of adding additional defendants. Work on finalizing joinders in Lincoln County's responses to motions to intervene.	ARCH
1219.032	08/26/2020	1	A	9	500.00	0.40	200.00 Extensive telephone conference with Bill Coulthard regarding conspiracy allegations, naming additional parties such as Las Vegas Valley Water District, SNWA, Clark County, and GID. Process CSI's joinder in opposition to Moapa Valley Water District's motion to intervene.	ARCH
1219.032	08/27/2020	1	A	9	500.00	0.30	150.00 Watch interview with Brad Crowell. Exchange comments and remarks as to how Crowell's comments can help PJR and/or taking litigation.	ARCH
1219.032	08/28/2020	1	A	9	500.00	0.30	150.00 Receive Moapa Progress articles from Emilia. Review same. Review status of Lincoln County case viz a viz venue issues. Telephone conference with Karen Peterson regarding alternative with respect to appeal and staying Lincoln County actions in the event of an appeal of venue order. Receive, analyze, and evaluate Judge Fairman's order granting motion to change venue.	ARCH
1219.032	08/31/2020	1	A	9	500.00	0.60	300.00 Continue review of Bills' inverse condemnation complaint. Correspondence and exchanges with Greg Morrison regarding confused in filing in Clark County on Vidler's Lincoln County case, report to clients. Finalize and distributed for approval proposed order approving stipulation for joint intervention.	ARCH
1219.032	09/02/2020	1	A	9	500.00	0.40	200.00 Review orders entered by Nevada Supreme Court on Vidler appeal.	ARCH
1219.032	09/02/2020	1	A	9	500.00	0.60	300.00 Receive and review LDS motion to intervene. Start response. Research possible cases that would	ARCH

**Detail Fee Transaction File List**  
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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
								distinguish role of intervener versus petitioner.	
1219.032	09/10/2020	1	A	9	500.00	0.50	250.00	Telephone conference with Brad and Emilia.	ARCH
1219.032	09/11/2020	1	A	9	500.00	0.40	200.00	Emilia emails with Bill concerning Clark County Water Reclamation's letter and strategize potential response thereto. Email Bill that Clark County Water Reclamation letter is evidence of the conspiracy that we discussed.	ARCH
1219.032	09/14/2020	52	A	9	140.00	0.20	28.00	Update CSI filings list with documents recently filed with courts. Provide same to K. Robison	ARCH
1219.032	09/15/2020	1	A	9	500.00	1.80	900.00	Emails to and from Brad and Emilia regarding Moapa Valley Water District position on intervention and discussions regarding need to object. Draft and file the response to LDS' motion to intervene. Review with Emilia. Revise. Work with Therese on research concerning actual role allowed for those who notice intent to participate as opposed to filing timely petition as opposed to motion to intervene.	ARCH
1219.032	09/15/2020	44	A	1	260.00	2.00	520.00	Research regarding intervention rights.	ARCH
1219.032	09/16/2020	1	A	9	500.00	2.90	1,450.00	Prepare for and participate in strategy conference with Brad and Emilia regarding Moapa Valley Water District intervention, City of North Las Vegas intervention, LDS' motion to intervene, our position as "respondent" on Vidler's appeal. Research Nevada Supreme Court Rules regarding briefing on appeal regarding venue. Discuss strategical implications of filing a motion to bifurcate Cane Springs from CSI's Clark County petition, so that Supreme Court can decide venue before proceeding with Cane Springs. Email exchanges with Bolotin and Taggart concerning waiving mediation at the Supreme Court level, so that appeal can be expedited and all parties can know whether the Cane Springs issue is litigated in Lincoln County or Clark County.	ARCH
1219.032	09/16/2020	44	A	1	260.00	0.50	130.00	Call with client.	ARCH
1219.032	09/17/2020	1	A	9	500.00	1.20	600.00	Work on trying to determine whether CSI should file status report with court for status check conference on October 6th. Got consensus from Brad and Emilia. Start draft of status conference report.	ARCH
1219.032	09/18/2020	1	A	9	500.00	0.70	350.00	Receive briefing material on Mineral County vs. Lyon County Supreme Court briefs. Read and review the Supreme Court decision regarding public trust issues versus statutory appropriation scheme.	ARCH
1219.032	09/18/2020	44	A	1	260.00	1.00	260.00	Review public trust case and research regarding same.	ARCH
1219.032	09/24/2020	1	A	9	500.00	2.10	1,050.00	Continue to work on opposition to motion for intervention. Work on status check hearing report to court. Exchange emails with Brad and Emilia regarding ongoing filings.	ARCH
1219.032	09/25/2020	52	A	9	140.00	2.40	336.00	Update document filing and hearing list with recent filings from Bedroc and Church of Latter Day Saints. Brief meetings with K. Robison regarding matrix of parties and participation filings. Prepare matrix as requested by K. Robison. Modify filing list and matrix for clarity at instruction of K. Robison.	ARCH
1219.032	09/28/2020	52	A	9	140.00	0.30	42.00	Lengthy telephone call with Department 19 Law Clerk regarding upcoming status check and potential status report. Email to K. Robison regarding same.	ARCH
1219.032	09/28/2020	1	A	9	500.00	0.90	450.00	Review and organize proposed exhibits for CSI status conference statement with Meg Byrd. Revise format and finalize.	ARCH
1219.032	09/29/2020	1	A	9	500.00	0.80	400.00	Work on opposition to motion to intervene by City <sup>33</sup>	ARCH

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Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount	Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
1219.032	10/01/2020	52	A	9	140.00	0.30	42.00	ARCH
							of North Las Vegas/Moapa Valley Water District.	
							Finalize filing list and appearance matrix and email same to Emelia and Brad at the request of K. Robison. Additional email with E. Cargill regarding update to Notice Matrix, update matrix and send back.	
1219.032	10/01/2020	1	A	9	500.00	0.90	450.00	ARCH
							Work on status conference statement. Distribute for comment, to be finalized tomorrow. Work with Meg on updating activity list for all seven cases in Clark County and work on chart showing which party is in which position with Meg.	
1219.032	10/02/2020	1	A	9	500.00	3.20	1,600.00	ARCH
							Work on responding to Emilia's cautions concerning review of other attorney's work to be frugal on billing process. Schedule flight to Vegas for hearing. Finalize with comments incorporated from Brad and Emilia CSI's status report to court outlining position of those who have filed notices of appearance, notices of intent to participate versus notice of motions to intervene versus joint intervention by all petitioners for court's knowledge and information.	
1219.032	10/05/2020	52	A	9	140.00	0.50	70.00	ARCH
							Meeting with K. Robison regarding upcoming Status Check, documents for review and status of filings.	
1219.032	10/05/2020	1	A	9	500.00	1.60	800.00	ARCH
							Draft responses to motions to intervene by Bedroc/Western Elite, Nevada Energy and Moapa Valley Water District. Email traffic and telephone conference Emilia regarding approach to be taken at tomorrow's conference in light of my inability to fly pending test. Receive Taggart's "response". Email exchanges with Emilia regarding Taggart's ask request for continuance in light of Taggart not knowing about hearing. Sent outline of expected arguments to be addressed at tomorrow's status conference to Bill, Emilia, and Brad seeking comment and advise concerning how to handle sensitive issues identified in outline.	
1219.032	10/06/2020	52	A	9	140.00	0.10	14.00	ARCH
							Update list of filings in SNWA/LVVWD case with status report, response and non-oppositions to motions to intervene.	
1219.032	10/06/2020	1	A	9	500.00	4.40	2,200.00	ARCH
							Prepare for status check conference by reviewing status report, NRCP 24, NRCP 42, and SNWA's response to CSI's status report. Review status of all motions to intervene, including motion filed by LDS in case it is argued at today's hearing. Participate in status check conference and present argument on behalf of CSI. Post status check hearing conference with Brad and Emilia to determine effect of Judge's ruling and breaking schedule. Start initial research on brief requested by Judge concerning the role and any applicable limitations or restrictions on interveners involvement in consolidated cases if permitted to intervene. Observe Taggart's argument to the Supreme Court described as involving issues identical to party representation in water law cases and confer with Emilia concerning same and track Emilia and Brad's texts concerning arguments by Karen Peterson that are contrary to CSI's interest and water law analysis.	
1219.032	10/08/2020	1	A	9	500.00	0.60	300.00	ARCH
							Incorporate Emilia's changes with schedule to be presented to Judge Kephart. Respond to Brad's inquiries.	
1219.032	10/09/2020	1	A	9	500.00	1.20	600.00	ARCH
							Work on trying to structure responses to Moapa Valley Water District's motion to intervene relative	

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
								to upcoming hearing with Court. Work on schedule and summary to show court pending PJRs, pending notices of appearance, pending notices of intent to participate, and pending motions to intervene. Respond to Carlson's inquiries regarding purpose and function of an intervener by motion as opposed to intervener among petitioners.	
1219.032	10/12/2020	1	A	9	500.00	0.60	300.00	Start brief on role of interveners. Evaluate cases cited in annotations to FRCP 24. Review Scottsdale Insurance Companies brief to intervene and define role filed in Delta v. Amerigas to compare to CSI intervention issues.	ARCH
1219.032	10/22/2020	1	A	9	500.00	1.90	950.00	Work on brief to be submitted to Court for November 17th hearing. Telephone conference with Seth Carlson. Telephone conference with Therese Ure regarding proposed briefing schedule. Review Supreme Court docket to determine status of Vidler appeal.	ARCH
1219.032	10/22/2020	44	A	1	260.00	3.50	910.00	Research regarding intervention (0.5); draft status report and edit (3).	ARCH
1219.032	10/26/2020	52	A	9	140.00	2.10	294.00	Prepare hearing documents including multiple motions for intervention, CSI responses thereto and the joint stipulation with order regarding intervention as requested by K. Robison for upcoming hearing.	ARCH
1219.032	10/26/2020	1	A	9	500.00	1.30	650.00	Work on brief for court on roll and scope of participation by interveners who have not filed petitions for judicial review. Work on responses to motions to intervene filed by Moapa Valley Water District, City of North Las Vegas, Nevada Energy, and Bedroc.	ARCH
1219.032	10/27/2020	52	A	9	140.00	3.20	448.00	Meeting with K. Robison regarding upcoming hearing, exhibits for hearing and related case law (.5), Prepare power point slides of petitioner vs. motion case participants at the instruction of K. Robison (2.2), Prepare additional hearing documents (.5).	ARCH
1219.032	10/27/2020	1	A	9	500.00	2.10	1,050.00	Telephone conference with Morrison, Carlson, Ure and counsel for NV Energy regarding proposed and stipulated timeline for briefing and discussions concerning scope of interveners participation. Work on brief to be filed with court concerning scope of interveners role. Research cases cited by City of North Las Vegas and Carlson to determine whether cases cited actually prohibit interveners from challenging any aspect of Order 1309. Work with Meg on slides to assist presentation at November 17th hearing. Status email to Emilia and Brad.	ARCH
1219.032	10/27/2020	44	A	1	260.00	1.00	260.00	Analyze legal authorities relied upon for intervention by Motion-Interveners.	ARCH
1219.032	10/28/2020	52	A	9	140.00	2.20	308.00	Attend meeting with K. Robison and T. Shanks regarding briefing schedule and upcoming hearing (.4). Restructure slides and create new slide exhibit regarding briefing schedule (1.1). Revise briefing schedule slide at request of K. Robison (.7).	ARCH
1219.032	10/28/2020	1	A	9	500.00	2.80	1,400.00	Continue to research and draft for best possible position for CSI in light of the dispute between interveners as respondents can attack 1309. Telephone conference with Seth Carlson. Telephone conference with Theresa Ure. Telephone conference with NV Energy counsel and telephone conference with Greg Morrison.	ARCH
1219.032	10/28/2020	44	A	1	260.00	1.00	260.00	More research regarding intervention and scope of	ARCH

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
1219.032	10/29/2020	52	A	9	140.00	0.30	42.00	ARCH
							intervenor's role regarding Taggart.	
1219.032	10/29/2020	1	A	9	500.00	0.90	450.00	ARCH
							Finalize slides for use as exhibits for upcoming hearing.	
1219.032	10/30/2020	1	A	9	500.00	1.80	900.00	ARCH
							Work on brief. Telephone conference with Brad. Telephone conference with Emilia regarding positions taken by proposed interveners claiming entitlement to "all rights of a party" and proposal that interveners can attack 1309 and we brief accordingly to that position.	
1219.032	11/02/2020	52	A	9	140.00	0.20	28.00	ARCH
							Review the essence of the record on appeal from Lincoln County. Draft letter to Karen Peterson and Dylan regarding briefing schedule, revised brief regarding scope and role of interveners. Telephone conference with Brad. Telephone conference with Emilia.	
1219.032	11/02/2020	52	A	9	140.00	1.10	154.00	ARCH
							Revise briefing schedule exhibit to CSI's Brief on Scope of Intervention.	
1219.032	11/02/2020	1	A	9	500.00	2.10	1,050.00	ARCH
							Revise attorney hearing files regarding motions for intervention and scope of intervention briefing for use at upcoming status conference at the request of K. Robison.	
1219.032	11/02/2020	1	A	9	500.00	2.60	1,300.00	ARCH
							Continue to work on CSI's brief and intervention to accommodate CSI's interest in obtaining support to invalidate 1309 and getting confirmation of briefing schedule before court. Prepare slides with Meg to attach to brief regarding intervention. Telephone conference with Ure and Morrison regarding their proposed scope and roll of involvement if allowed to intervene.	
1219.032	11/02/2020	44	A	1	260.00	0.50	130.00	ARCH
							Receive SNWA's brief regarding intervention. Review same together with review of exhibits attached and referred to in SNWA's brief regarding scope. Continue discussions with Balducci and Carlson regarding potential for changing Judges and obtaining Business Court approval. Receive, review State Engineer's brief regarding scope of interveners. Work on and complete CSI's brief regarding scope of intervention. Receive, review Dylan's response to our proposal that Vidler and Lincoln commence briefing. Respond accordingly. Receive, review Seth Carlson's brief regarding intervention. Receive, review Apex's brief regarding scope of intervention. Report to clients accordingly. Receive, review Nevada Cogen's brief regarding intervention. Communicate with client that all parties seem to be taking the same position, except State who advocates respondent as opposed to position of party.	
1219.032	11/03/2020	1	A	9	500.00	2.40	1,200.00	ARCH
							Review and edit statement.	
1219.032	11/06/2020	1	A	9	500.00	0.60	300.00	ARCH
							Review status report on status of Vidler/LCWD's appeal. Telephone conference with Karen Peterson regarding our brief and request that she brief as we brief. Review briefs regarding scope of intervention filed by Apex, SNWA, Nevada Co-Generation, State Engineer, and MVWD. Telephone conference with Brad and Emilia regarding strategy on how to deal with Vidler/LCWD and how to respond to SNWA's 150 page brief regarding scope of interveners' role. Research motions to strike to determine whether CSI should move to strike Taggart's brief with 140 pages of exhibits. Internal strategies discussion with Therese regarding EDCR 2.20(a) which are a limitation of briefs. Email conclusions that motion to strike are disfavored and should not be pursued	



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							by CSI in light of CSI's desire to remain a favored nation. Reduce ROA to cloud drive and thumb drive and served Vidler and Lincoln County Water District with ROA. Email exchanges with Karen Peterson regarding strategies and purposes for doing so.	
1219.032	11/06/2020	44	A	1	260.00	5.00	1,300.00	ARCH
							Research regarding motion to strike (2); analyze SNWA's brief and further research regarding bases to strike statements, role of briefing in petitions for judicial review, page and exhibit limitations (2); draft preliminary motion strike (1).	
1219.032	11/09/2020	52	A	9	140.00	1.40	196.00	ARCH
							Meeting with K. Robison regarding Record on Appeal served by State Engineer. Email same to Emilia and Brad, confirm receipt. Prepare email to counsel for Vidler and Lincoln County with link to Record on Appeal. Prepare corresponding letter to counsel and thumb drives with Record on Appeal included, dispatch at the direction of K. Robison.	
1219.032	11/09/2020	1	A	9	500.00	1.20	600.00	ARCH
							Work on distributing ROA to Peterson and Frehner. Telephone conference with Emilia regarding strategies on how to approach lame duck Judge Kephart. Exchange emails with Karen Peterson regarding briefing schedule.	
1219.032	11/09/2020	44	A	1	260.00	0.20	52.00	ARCH
1219.032	11/11/2020	1	A	9	500.00	0.80	400.00	ARCH
							Telephone conference Christian Balducci and Seth Carlson regarding options on how to proceed in light of Judge Kephart's election defeat. Analyze new Judge. Exchange emails with client (Emilia) regarding proposal to get parties to stipulate to complex litigation and move to Business Court.	
1219.032	11/12/2020	1	A	9	500.00	1.10	550.00	ARCH
							Exchange emails and information among counsel regarding new Judge. Telephone conference with Brad and Emilia regarding process to follow regarding whether concerted effort should be made to get consolidated cases before Business Court and review recent notice from NDEP and point of diversion notice requirements.	
1219.032	11/16/2020	1	A	9	500.00	1.80	900.00	ARCH
							Email exchanges with Balducci and Sylvia Harrison pertaining opportunity to transfer case to Business Court. Telephone conference with Emilia. Prepare for status check conference by reviewing briefs and uploading graphs for demonstrative purposes for hearing.	
1219.032	11/16/2020	52	A	9	140.00	0.20	28.00	ARCH
							Send email to court clerk and monitor email traffic regarding hearing for 11/17/2020.	
1219.032	11/17/2020	1	A	9	500.00	2.50	1,250.00	ARCH
							Prepare for status conference with Judge Kephart. Review briefs and outline consensus on intervention with only distinction being whether interveners appear as respondents or as having the status of a "party". Appearance before Judge Kephart. Argue for briefing schedule. Debrief with Emilia. Debrief with Brad.	
1219.032	11/17/2020	52	A	9	140.00	1.00	140.00	ARCH
							Attend hearing for exhibit presentation at request of K. Robison.	
1219.032	11/18/2020	44	A	1	260.00	0.20	52.00	ARCH
1219.032	11/19/2020	44	A	1	260.00	4.00	1,040.00	ARCH
							Research regarding briefing schedule. Analyze and research regarding takings laws and stay.	
1219.032	01/11/2021	1	A	9	500.00	0.60	300.00	ARCH
							Telephone conference with Emilia and Brad regarding new Judge and status check date. Work on notification to court regarding status and confirmation of status check hearing in February.	
1219.032	02/10/2021	15	A	9	50.00	0.25	12.50	ARCH
							Research transfer to Dept. 1 and telephone conference with Joel Rivas, Judicial Executive Assistant, Dept. 1. Telephone conference with Kent	

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
1219.032	02/18/2021	1	A	9	500.00	0.80	400.00	ARCH
							and Emilia concerning same.	
							Telephone conference with Joel Rivas regarding personnel appearances at February 25th hearing. Correspondence with Emilia concerning the same. Start draft of status conference hearing statement to hopefully enlighten court regarding status and need to proceed.	
1219.032	02/22/2021	1	A	9	500.00	1.30	650.00	ARCH
							Telephone conference with Sylvia Harrison. Email Sylvia regarding briefing schedule. Emails with Brad and Emilia. Emails with Taggart and Company regarding briefing schedule. Work on and complete hearing status report. Copy clients. Email Seth Carlson regarding schedule. Open, review hearing on Emilia's appearance before Board of Examiners.	
1219.032	02/24/2021	1	A	9	500.00	2.10	1,050.00	ARCH
							Work on presentation for 2/25/21 hearing. Telephone conference with Emilia and Brad. Email traffic re briefing schedule.	
1219.032	02/24/2021	44	A	9	260.00	0.20	52.00	ARCH
							Review status of appeal.	
1219.032	02/25/2021	1	A	9	500.00	2.10	1,050.00	ARCH
							Prepare for hearing with Judge Yeager with review of status hearing, status report, and email traffic by, between and among Petitioners and Interveners.	
1219.032	03/01/2021	1	A	9	500.00	0.80	400.00	ARCH
							Comment to Emilia on proposed revisions to NRS 533.450 regarding appeals and language "not final" creating problems for petitioners. Work on scheduling order, specifically response to Brad concerning confidentiality language in paragraph four.	
1219.032	03/03/2021	1	A	9	500.00	0.80	400.00	ARCH
							Work on stipulation for briefing scheduling and consolidation of Vidler into Clark County cases. Conference with Emilia regarding proposal that all parties jointly move to consolidate. Emails to and from Petitioner's counsel to clarify language of stipulation.	
1219.032	04/15/2021	1	A	9	500.00	0.60	300.00	ARCH
							Received, reviewed, and analyzed Supreme Court opinion on venue. Emails to Emilia and Brad (.6).	
1219.032	04/19/2021	1	A	9	500.00	0.90	450.00	ARCH
							Received, reviewed Supreme Court opinion affirming change of venue order. Email re: Motion for Reconsideration to Karen Peterson. Received, analyzed, and evaluated State Engineer's Workshop Proposal regarding Legislation and Water Court. Confirmed Friday meeting. (.90).	
1219.032	04/23/2021	1	A	9	500.00	1.90	950.00	ARCH
							Continued review of Supreme Court Order Dismissing Change of Venue Appeal. Conference with Sev Carlson and Paul Taggart regarding process on how to proceed in light of Court's upcoming status check. Telephone conference with Brad and Emilia regarding workshops and game plan for Status Check Hearing (1.9).	
1219.032	04/26/2021	1	A	9	500.00	1.10	550.00	ARCH
							Worked on trying to determine how to proceed with briefing schedule in light of Supreme Courts affirmation of Order changing Vidler lawsuit to Clark County. Email exchanges with Paul Taggart, Emilia Cargil, Sylvia Harrison and James Bolotin to determine if consensus could be established on how to proceed. Emails to Karen Peterson regarding futility of pursuing Motion for Consideration on BOC hearing.	
1219.032	04/27/2021	1	A	9	500.00	1.40	700.00	ARCH
							Telephone conference with James Bolotin regarding Court's response to confusion about whether Thursday's hearing is vacated or on for appearances. Worked on Status Conference report. Completed Status Conference Report and distributed for comment. Finalized and filed.	

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Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount	Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
1219.032	04/29/2021	1	A	9	500.00	2.40	1,200.00	ARCH
							Prepared for hearing by reviewing emails submitted by Karen Peterson and Dylan regarding their participation on hearing even though neither are parties to the consolidated actions. Reviewed Status Hearing Brief submitted by CSI. Participated in BlueJeans hearing with Judge Yeager, Co-Counsel and Counsel for Petitioners to review with Judge Yeager the Remittitur issue as the trigger event to commence the briefing schedule, post hearing de-brief with Emilia and Brad.	
1219.032	05/12/2021	44	A	9	260.00	0.30	78.00	ARCH
1219.032	05/17/2021	44	A	5	260.00	3.50	910.00	ARCH
1219.032	05/17/2021	1	A	9	500.00	1.50	750.00	ARCH
							Worked on status conference statement, emailed Karen Peterson regarding proposed stipulation to consolidate her case into consolidated actions. Telephone conference with Paul Taggart followed email traffic between Paul and Karen regarding confusion on 8th Judicial District.	
1219.032	05/18/2021	44	A	9	260.00	4.00	1,040.00	ARCH
1219.032	05/19/2021	1	A	9	500.00		0.00	ARCH
							Continued administrative record review. Worked on status report to Court for 5/27 hearing. Exchanged communications with Peterson regarding consolidation.	
1219.032	05/21/2021	1	A	9	500.00	0.30	150.00	ARCH
							Correspondence to and from Karen Peterson regarding possible conditions and requirements for Vidler to agree to consolidate. Responded to Karen that conditions are unacceptable. Went forward with communications to joint petitioners to express consensus that Karen's proposed stipulation with conditions is unacceptable and objected to. Email exchanges with Sylvia Harrison. Telephone conference with Alex Flangas.	
1219.032	05/24/2021	1	A	9	500.00	0.90	450.00	ARCH
							Telephone conference with Paul Taggart regarding strategies on how to prevent Vidler/LCWD from delaying briefing and creating unnecessary work for all concerning Motion to Intervene. Worked on and prepared stipulation to be signed by petitioners and interveners for SNWA case. Obtained signatures and filed with Court. Strategy telephone conference with Brad and Emilia on how to handle May 27th status conference.	
1219.032	05/25/2021	1	A	9	500.00	1.10	550.00	ARCH
							Telephone conference with Emilia and Brad to strategize on development with Vidler in light of May 27th Status Check with Judge Yeager. Telephone conference with Paul Taggart and exchange emails regarding language in proposed order consolidating Vidler/LVVWD into consolidated action case and drafted proposed order accomplishing same. Processed by distribution the proposed stipulation among existing petitioners to join (consolidate) Vidler and LVVWD in consolidated action. Received signatures and authorization and processed the filing of the Joint Stipulation.	
1219.032	05/25/2021	15	A	9	50.00	0.50	25.00	ARCH
							Finalize with e-signatures Stipulation for Consolidation of Lincoln County Water District/Vidler Water Company, Inc. and email to all counsel.	
1219.032	05/26/2021	57	A	9	40.00	3.60	144.00	ARCH
1219.032	05/26/2021	1	A	9	500.00	0.80	400.00	ARCH
							Reviewed Petitions and Provided Summaries Prepare and circulate a draft stipulation and order thereon regarding Petitioners and Interveners Agreement to have Vidler/LCWD's petition consolidated with pending consolidated matters. Receive "slide-deck" produced by State Engineer as a disguised attempt to justify by 8000 afy.	

**Detail Fee Transaction File List**  
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Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount		Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	05/27/2021	57	A	9	40.00	1.20	48.00	Attended 5/27 hearing, provided notes and summary.	ARCH
1219.032	05/27/2021	1	A	9	500.00	2.30	1,150.00	Prepare for and participate in status check with court, Petitioners count Petitioners and Interveners. Work on submitting to court before hearing the stipulation executed by Petitioners and Interveners to have Vidler's action consolidated. Post hearing strategy conference to debrief with Brad and Emilia.	ARCH
1219.032	05/28/2021	57	A	9	40.00	0.40	16.00	Compiled documents on orders and rulings	ARCH
1219.032	05/28/2021	57	A	9	40.00	0.60	24.00	Reviewed Lincoln/Vidler petition and summarized.	ARCH
1219.032	06/01/2021	57	A	9	40.00	0.90	36.00	Prepared binder of rulings, orders, MOAs, and other relevant case material for review	ARCH
1219.032	06/01/2021	1	A	9	500.00	1.80	900.00	Continue review and analysis of petitions filed by joint petitioners to determine common areas of dispute with 1309. Email exchanges with Carl Savely regarding Friday's meeting to confirm skeleton outline of brief. Work on notice of motion to be filed in Department 1 with briefing on CSI's motion to intervene in Lincoln County action as attachments to notice of motion.	ARCH
1219.032	06/02/2021	44	A	9	260.00	4.00	1,040.00	Continue administrative record review.	ARCH
1219.032	06/04/2021	1	A	9	500.00	3.20	1,600.00	Prepare for conference with Steve, Therese, Brad and Emilia. Office conference with Carl Savely. Prepare outline for meeting. Prepare and distributed summary of accusations and allegations made by other Petitioners and their petitions for judicial review. Review court minutes to determine whether any orders had been entered. Work on notice of motion requested by Judge Yeager reflecting briefing done in support of CSI's petition to intervene in Vidler/LCWD's Lincoln County petition for judicial review. Wrote/draft brief and proposed order granting CSI's request to intervene in Vidler and LCWD's petition for judicial review. Sent confirmation of things to do regarding discussions at Zoom strategy session.	ARCH
1219.032	06/04/2021	44	A	9	260.00	7.00	1,820.00	Zoom conference (1); continue record review (6).	ARCH
1219.032	06/07/2021	44	A	9	260.00	6.00	1,560.00	Research regarding best available science (5); outline memo regarding same for brief (1).	ARCH
1219.032	06/08/2021	44	A	9	260.00	3.00	780.00	Research regarding substantial evidence in context of water law in Nevada.	ARCH
1219.032	06/09/2021	44	A	9	260.00	2.00	520.00	Outline research re "substantial evidence" (1); review Carl's email and add to outline (1).	ARCH
1219.032	06/10/2021	1	A	9	500.00	1.80	900.00	Work on CSI's brief in terms of structure, outline, and high points. Receive and review Taggart/Duensing's report to Judge Yeager's law clerk concerning "joint notice of submitted motion to intervene". Review same and report to client.	ARCH
1219.032	06/11/2021	1	A	9	500.00	0.80	400.00	Work with Karen Peterson, Greg Morrison, and Jim Bolotin concerning the notice requested by Karen to reflect joinders in motions to intervene and CSI's opposition to SNWA's motion to intervene in Vidler's case. Review and agree to language of notice being submitted by Peterson.	ARCH
1219.032	06/15/2021	1	A	9	500.00	1.20	600.00	Work with counsel for Petitioner concerning stipulations regarding matters filed in Lincoln County concerning intervention in Vidler's actions. Approve stipulation. Work on notification to withdraw opposition to SNWA's motion to intervene. Receive and review AJR #3 regarding water protection legislation and respond to Carl. Respond to email proposal authored by James Bolotin concerning proposal for answering briefs filed together with Petitioner's ability to challenge	ARCH

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount		Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
								other Petitioners comments about PJRs. Clarify confusion about ability to file reply briefs that responds both to State Engineer's answering brief and Intervener's answering brief.	
1219.032	06/17/2021	1	A	9	500.00	2.80	1,400.00	Continue to review petitioners briefs, petitioners petitions, and details of 1309 in order to prepare rough outline for CSI's opening brief.	ARCH
1219.032	06/18/2021	57	A	9	40.00	0.40	16.00	Prepare binder of closing briefs and other review material.	ARCH
1219.032	06/18/2021	1	A	9	500.00	4.90	2,450.00	Work on reviewing all petitions for judicial review, challenging 1309 and highlighting specific arguments on specific issues together with continued scrutiny of other Petitioner's brief filed with State Engineer.	ARCH
1219.032	06/25/2021	44	A	9	260.00	3.00	780.00	Edit outline drafted by KRR.	ARCH
1219.032	06/30/2021	1	A	9	500.00	1.30	650.00	Receive, review three pdfs from Emilia concerning communication with Walsh, Entsminger and SNWA regarding their response to Emilia's June correspondence. Comment on same. Work on setting up strategy conference and common defense arrangement with Vidler/LCWD. Work on setting up pre-meeting with Steve, Carl, Brad, and Emilia. Read, review, and prepare for comment on Vidler's opposition to motion to intervene based upon SNWA's interrelationship with Moapa Valley Irrigation. Work on and file withdrawal of opposition to SNWA's motion to intervene in Vidler action based on stipulation entered into all four being permitted to intervene in each other's case.	ARCH
1219.032	07/01/2021	44	A	9	260.00	5.00	1,300.00	Convert PJR into outline.	ARCH
1219.032	07/01/2021	1	A	9	500.00	2.80	1,400.00	Prepare for and participate in status check with Judge Yeager. Post hearing debrief with Emilia. Participate in strategy conference with Emilia, Carl, Steve Reich.	ARCH
1219.032	07/02/2021	1	A	9	500.00	0.50	250.00	Read, review and comment to Emilia on whether common interest defense agreement has to be filed with court. Review same and comment to Emilia and co-counsel with regard to approval of concept and contents.	ARCH
1219.032	07/05/2021	44	A	9	260.00	2.00	520.00	Begin draft PJR facts portion.	ARCH
1219.032	07/07/2021	1	A	9	500.00	1.80	900.00	Work on agenda for common interest strategy session with Vidler, Lyon County Water District and CSI Representatives. Telephone conference with Emilia regarding strategy session. Continue to review other parties petitions and briefs submitted to the State Engineer.	ARCH
1219.032	07/07/2021	44	A	9	260.00	4.00	1,040.00	Continue draft fact portion of outline (3); insert arguments from closing brief into outline which are consistent with PJR arguments (1).	ARCH
1219.032	07/08/2021	1	A	9	500.00	7.20	3,600.00	Continue review of an analysis of arguments, issues and points raised by those stake holders who filed briefs in the administrative hearing with the State Engineer. Review agenda for strategy common interest conference. Attend conference with Vidler, LCWD, and CSI representatives. Work on confirmation of to-do list and submitted to Emilia. Start draft of a part of the brief that implicates political machinations as the reason why the State Engineer keeps changing its position to accommodate SNWA's interests in serving water to developers in Las Vegas.	ARCH
1219.032	07/09/2021	1	A	9	500.00	0.90	450.00	Work on standard of review. Work on Glossary. Continue to review briefs filed by Petitioners.	ARCH
1219.032	07/19/2021	57	A	9	40.00	2.80	112.00	Work on glossary of technical terms	41 ARCH

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	07/19/2021	1	A	9	500.00	1.50	750.00	Work on Glossary for Carl. Receive Karen's outline regarding order of 1309 and opening brief. Exchange communications with Emilia concerning strategies of drafting brief.	ARCH
1219.032	07/20/2021	57	A	9	40.00	1.40	56.00	Finish glossary of technical terms	ARCH
1219.032	07/20/2021	57	A	9	40.00	3.50	140.00	Draft summaries of closing statements from participants in NSE Interim Order 1303	ARCH
1219.032	07/21/2021	57	A	9	40.00	1.00	40.00	Draft summaries of the closing statements from respondents in NSE Interim Order 1303	ARCH
1219.032	07/21/2021	50	A	9	400.00	0.20	80.00	Review e-mail from Emilia re: glossary of terms and respond with word version attached.	ARCH
1219.032	07/21/2021	1	A	9	500.00	0.80	400.00	Work on reviewing petitions and briefs to prepare a list of technical terms that need reasonable definition and distributed proposed glossary to client and counsel.	ARCH
1219.032	07/22/2021	57	A	9	40.00	5.80	232.00	Draft summaries of the closing statements from respondents in NSE Interim Order 1303	ARCH
1219.032	07/22/2021	50	A	9	400.00	1.60	640.00	Review petition for judicial review (.3). Meet w/ KRR to review background, strategy, goal, assignment (.3). Revise outline of brief (1.0).	ARCH
1219.032	07/22/2021	1	A	9	500.00	3.40	1,700.00	Work on brief, glossary, chronology, and continue to review technical data produced and issued by SNWA to State Engineer. Finalize outline of brief and distribute same. Incorporate Emilia's comments and distribute to team.	ARCH
1219.032	07/23/2021	57	A	9	40.00	4.80	192.00	Draft Summaries of closing statements from participants in NSE Interim Order 1303 (4.2), Add technical terms to glossaries and review expert reports (.6)	ARCH
1219.032	07/23/2021	1	A	9	500.00	2.10	1,050.00	Work on brief.	ARCH
1219.032	07/26/2021	57	A	9	40.00	0.70	28.00	Compile binder of orders, rulings, and letters for review.	ARCH
1219.032	07/27/2021	50	A	9	400.00	2.30	920.00	Review Vidler and SNWA PJR; Review and research NRS 534/533 re: State Engineer authority to designate mega basin to begin drafting standards of review. (2.3).	ARCH
1219.032	07/28/2021	50	A	9	400.00	1.70	680.00	Continue researching and drafting standard of review, including researching "best available science" standard.	ARCH
1219.032	07/29/2021	50	A	9	400.00	2.10	840.00	Continue drafting brief, including adding background information and revising standard of review. (1.3). Meet w/ KRR to discuss strategy of argument (.2). Attend call w/ KRR, Carl, Brad, Emilia, Steve on assignments, game plan going forward (.6).	ARCH
1219.032	07/29/2021	1	A	9	500.00	1.20	600.00	Prepare for and participate in strategy conference with Emilia, Brad, Hannah, Steve and Carl.	ARCH
1219.032	07/29/2021	1	A	9	500.00	0.80	400.00	Work on outline and structure of CSI's opening brief with Hannah and distribute same to co-counsel.	ARCH
1219.032	07/30/2021	50	A	9	400.00	3.00	1,200.00	Read through 1303 and 1309 regarding State Engineer's basis for his legal authority to enter 1309 (1.5); Draft proposed findings of fact and conclusions of law (.5); research State Engineer authority (1.0).	ARCH
1219.032	07/30/2021	1	A	9	500.00	2.80	1,400.00	Work on proposed Findings of Fact and Conclusions of Law, Points and Authorities regarding standard of review and introductory comments on brief.	ARCH
1219.032	08/02/2021	57	A	9	40.00	2.10	84.00	Draft summaries of expert reports (MVIC, MVWD, CBD, City of North Las Vegas).	ARCH
1219.032	08/03/2021	57	A	9	40.00	4.20	168.00	Draft summaries of expert reports (SNWA, Lincoln Vidler, CSI, MBOP).	ARCH
1219.032	08/03/2021	50	A	9	400.00	1.00	400.00	Continue drafting legal authority argument (.5). Phone call w/ Brad re: legal authority, assignments for brief (.5).	ARCH

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	08/03/2021	1	A	9	500.00	1.90	950.00	Conference call all players regarding brief and approaches to completing and filing brief with all issues covered.	ARCH
1219.032	08/04/2021	50	A	9	400.00	0.30	120.00	Review edits to opening brief and FFCOL from Carl.	ARCH
1219.032	08/04/2021	1	A	9	500.00	1.70	850.00	Continue analysis of operative orders/rulings to draft background and chronology. Work with maps to serve as exhibits for brief purposes.	ARCH
1219.032	08/05/2021	50	A	9	400.00	0.20	80.00	Review e-mails from Emilia/Kent re: Steve's findings, scheduling telephone conference, and respond to Emilia's e-mail.	ARCH
1219.032	08/05/2021	57	A	9	40.00	3.40	136.00	Draft summaries of expert reports (NV Energy, US National Park Service, US Fish and Wildlife Service).	ARCH
1219.032	08/05/2021	57	A	9	40.00	2.10	84.00	Create map of each party's pumping location	ARCH
1219.032	08/05/2021	1	A	9	500.00	1.90	950.00	Work on brief. Receive Steve Reich's outline of technical issues. Continue to review exhibits admitted at State Engineer hearing and work on chronology for brief.	ARCH
1219.032	08/06/2021	57	A	9	40.00	1.20	48.00	Draft expert summaries (Bedroc, Nevada Cogeneration Association).	ARCH
1219.032	08/06/2021	57	A	9	40.00	2.40	96.00	Create map of each party's pumping location	ARCH
1219.032	08/06/2021	50	A	9	400.00	0.20	80.00	Review e-mail from Emilia re: Steve's edits.	ARCH
1219.032	08/09/2021	57	A	9	40.00	1.10	44.00	Finish map of each party's locations	ARCH
1219.032	08/09/2021	1	A	9	500.00	2.10	1,050.00	Continue to work on exhibits to brief. Review engineer's reports and expert reports submitted to State Engineer. Perform summary with Marshall for distribution to team.	ARCH
1219.032	08/10/2021	50	A	9	400.00	0.20	80.00	Meet w/ KRR to review brief; discuss plan for who is doing what sections.	ARCH
1219.032	08/11/2021	50	A	9	400.00	4.70	1,880.00	Continue researching and drafting legal authority argument (2.2). Continue reviewing Order 1309, 1303, 1169, 1169A (.8). Continue drafting brief (.7). Revise outline and brief and send to team (.5). Phone call w/ Emilia, Brad, Carl, KRR re: strategy moving forward, brief assignments, deadlines, exhibits, etc. (1.0). Revise substantial evidence section to include Steve's technical analysis. (.5).	ARCH
1219.032	08/11/2021	1	A	9	500.00	2.10	1,050.00	Work on organizing structure of brief with Hannah. Read summaries of expert witness reports summarized by Marshall to incorporate in status/introduction portion of the brief. Review Steve's technical analysis and tried to economize the words used to fit his analysis into briefs at specific sections. Prepare for and participate in conference with Carl, Brad, Hannah and Emilia.	ARCH
1219.032	08/12/2021	1	A	9	500.00	0.60	300.00	Email exchanges with co-counsel and Carl and Steve regarding formulation of issues, structure, and work on outline for opening brief. Respond to Carl's inquires.	ARCH
1219.032	08/13/2021	50	A	9	400.00	5.20	2,080.00	Continue drafting opening brief: continue incorporating Steve's technical analysis into the substantial evidence argument section (5.2).	ARCH
1219.032	08/13/2021	1	A	9	500.00	2.10	1,050.00	Work on "introduction" as part of statement of case. Review SNWA's 2018 assessment compared to State Engineer's 2018 draft order. Work with Hannah to organize and structure brief. Emails to co-counsel and Emilia regarding Tuesday's appointment for attempting to complete rough draft.	ARCH
1219.032	08/14/2021	50	A	9	400.00	3.80	1,520.00	Convert opening brief into google doc and share with team for simultaneous drafting/editing (.3). Continue drafting opening brief: revise background; respond to Brad's comments; continue drafting legal authority section; review NRS Chapter 3342, 333, 334. (3.5).	ARCH
1219.032	08/16/2021	50	A	9	400.00	4.40	1,760.00	Continue drafting argument section re: legal	43 ARCH

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
								authority to jointly administer basins; statutory interpretation of nrs 534.120, NRS 534.110(6), NRS 534.030 (2.5). Research legislative history of NRS 533.024 (1.4). Review SNWA and CSI joint filing in US District Court to draft MOA section in procedural history (.5).	
1219.032	08/16/2021	1	A	9	500.00	1.10	550.00	Work on drafting brief. Focus on chronology and brief intro to outline relief requested at beginning of brief. Collaborate with Hannah on issue of all revised statutes governing State Engineer referring to basin by basin treatment including curtailment orders.	ARCH
1219.032	08/17/2021	50	A	9	400.00	5.50	2,200.00	Research prior appropriation doctrine and changing priority rights (2.5). Draft legal argument based on research findings (1.8). Phone call w/ Emilia, Carl, KRR, Steve, Brad re: issues raised in petition, assignments for project going forward, etc. (1.2).	ARCH
1219.032	08/17/2021	1	A	9	500.00	2.50	1,250.00	Work on brief with Hannah. Continue to analyze applicable documents and exhibits. Status and strategy conference with Steve, Brad, Hannah, Emilia, and Carl to work on brief.	ARCH
1219.032	08/18/2021	50	A	9	400.00	1.40	560.00	Continue drafting and revising opening brief (.8). Begin identifying and pulling exhibits (.3). Review team's edits to draft (.3).	ARCH
1219.032	08/19/2021	50	A	9	400.00	3.20	1,280.00	Continue drafting legal argument on prior appropriation doctrine, due process violations, taking clause (2.2). Phone call w/ Emilia, Brad, Carl, Steve re: assignments for brief, strategy for brief, exhibits (1.0).	ARCH
1219.032	08/19/2021	58	A	9	220.00	0.20	44.00	Met with Hannah to discuss what she needed me to do. Instructed to pull exhibits for brief.	ARCH
1219.032	08/19/2021	58	A	9	220.00	0.70	154.00	Started pulling exhibits for the brief.	ARCH
1219.032	08/19/2021	1	A	9	500.00	1.90	950.00	Work on brief. Telephone conference with Emilia, Brad, Steve Reich, and Carl Savely to get consensus on who's drafting what and when drafts will be complete.	ARCH
1219.032	08/20/2021	50	A	9	400.00	7.80	3,120.00	Continue drafting brief and researching prior appropriation doctrine; reviewing statutes for legal authority issue; drafting section on legal authority issues (6.2). Phone call w/ team re: strategy, etc(1.2); phone call w/ Emilia re: have Brett research revival of 1303 ; discuss same w/ KRR (.2).	ARCH
1219.032	08/20/2021	58	A	9	220.00	0.40	88.00	Met with Hannah to see what other help she needed for the CSI Brief. Instructed to Research if 1303 would be revived if 1309 revoked.	ARCH
1219.032	08/20/2021	58	A	9	220.00	1.60	352.00	Researched if 1303 would be revived if 1309 is revoked. Could not find anything on point. Thought it cold be similar to a "Will" revival. Confirmed with Kent and Hannah that 1303 would not be revived.	ARCH
1219.032	08/20/2021	58	A	9	220.00	1.20	264.00	Reviewed and began editing the CSI brief document.	ARCH
1219.032	08/20/2021	58	A	9	220.00	1.20	264.00	Put together and began updating a running exhibit list for the CSI brief document.	ARCH
1219.032	08/20/2021	1	A	9	500.00	2.60	1,300.00	Continue to review reports and drafts. Compare 1169 to 1309 with respect to inconsistencies and contradictions in that 1303 profess no technical data if 1309 relies on 1169 pump tests. Continue to review expert witness reports for appropriate maps to include in brief.	ARCH
1219.032	08/20/2021	1	A	9	500.00	2.10	1,050.00	Continue to assist with identification of exhibits and finding reference to exhibits and brief to complete citation. Work with Hannah on trying to laymanize Steve's technical stuff. Work on revising glossary 44	ARCH



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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
1219.032	08/22/2021	50	A	9	400.00	4.30	1,720.00	ARCH
1219.032	08/23/2021	50	A	9	400.00	3.90	1,560.00	ARCH
								and review modified timeline/chronology to determine whether it exceeds the word limit and constitutes references to matters not in the ROA. Continue drafting and revising opening brief.
								Continue drafting and revising opening brief (review co counsel edits, accept/reject same, seek clarification on sections where I re-wrote technical analysis). (1.8). Phone call w/ Brad re: areas each of us will work on to finish brief (.2). Review expert report from CSI and Vidler to draft section on aquifer recovery/lack of substantial evidence (1.3). Review expert reports for exhibits to use in brief and begin pulling such exhibits to run by the team (.4). Met with Hannah to see if she needed help with the CSI Brief. Instructed to continue to pull exhibits and proofreading.
1219.032	08/23/2021	58	A	9	220.00	0.10	22.00	ARCH
1219.032	08/23/2021	58	A	9	220.00	2.50	550.00	ARCH
1219.032	08/24/2021	50	A	9	400.00	8.20	3,280.00	ARCH
								Meet w/ KRR re: exhibits for brief, formatting for exhibits, Kent's intro arguments in summary of argument section, strategy to finish brief and for filing (.6). Revise brief to cut down words for word count; rework substantial evidence argument sections to make them more "lay person friendly" (5.4). Continue finding citations to the record for evidentiary support (2.2).
1219.032	08/24/2021	58	A	9	220.00	0.60	132.00	ARCH
1219.032	08/24/2021	58	A	9	220.00	1.10	242.00	ARCH
1219.032	08/24/2021	58	A	9	220.00	8.50	1,870.00	ARCH
								Sat in on a conference call with Hannah and Kent to discuss the CSI Brief. Strategize with Hannah and Kent about the exhibits to be included and in which order to be included. Searched through the online files and hard copies for the documents needed for the brief. Compiled them into different folders and assembled them into a binder.
1219.032	08/24/2021	1	A	9	500.00	4.20	2,100.00	ARCH
								Work on brief and all facets. Continue to proof and edit. Review edits provided by Brad, Carl, and Emilia. Work on assembling method by which hard copy can be printed, produced to counsel. Made revisions. Review key orders and rulings to confirm proposed opening sentences about State Engineer's chaos, conflict, and inconsistencies.
1219.032	08/25/2021	50	A	9	400.00	8.10	3,240.00	ARCH
								Continue inputting citations to brief (2.8). Continue drafting and revising brief, including proofreading, putting caselaw citations throughout, and reworking technical analysis in substantial evidence argument sections (5.3).
1219.032	08/25/2021	58	A	9	220.00	1.80	396.00	ARCH
								Searched through prior testimony of Reich and Bushner (Vidler Expert) to locate excerpts that may be useful to brief.
1219.032	08/25/2021	58	A	9	220.00	2.90	638.00	ARCH
1219.032	08/25/2021	58	A	9	220.00	2.60	572.00	ARCH
								Proofreading CSI Brief for edits and exhibit citations. Updating running exhibit list to include numbers for exhibits and putting corresponding numbers into CSI Brief.
1219.032	08/25/2021	1	A	9	500.00	3.50	1,750.00	ARCH
1219.032	08/26/2021	50	A	9	400.00	5.30	2,120.00	ARCH
								Work with Hannah on brief. Continue proof reading and revising brief based on Brad, Emilia, Bill, Steve edits (2.3). Input maps and charts into brief (.5). Work w/ Brett to finalize exhibits and citations for brief (2.3). Call w/ team (.2).
1219.032	08/26/2021	58	A	9	220.00	0.10	22.00	ARCH
1219.032	08/26/2021	58	A	9	220.00	0.30	66.00	ARCH
								Review email from other counsel for brief edits. Met with Hannah to discuss next steps in CSI brief and Exhibits.
1219.032	08/26/2021	58	A	9	220.00	2.40	528.00	ARCH
								Searching through exhibits and brief for specific language to cite to for the brief.

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount		Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	08/26/2021	58	A	9	220.00	0.50	110.00	Updating running exhibit list to include new exhibits.	ARCH
1219.032	08/26/2021	58	A	9	220.00	0.20	44.00	Met with Hannah to ask what help she needed. Instructed to put Exhibit Maps into the brief.	ARCH
1219.032	08/26/2021	58	A	9	220.00	0.10	22.00	Put Exhibit Maps into brief.	ARCH
1219.032	08/26/2021	58	A	9	220.00	0.50	110.00	Making sure Exhibits are properly cited in brief and updating running exhibit list.	ARCH
1219.032	08/26/2021	58	A	9	220.00	0.80	176.00	Grabbing final exhibits and compiling them into the exhibit list with a number.	ARCH
1219.032	08/26/2021	1	A	9	500.00	1.20	600.00	Work on finalizing brief with formats and work with Jayne to make sure filing is effectuated.	ARCH
1219.032	08/27/2021	58	A	9	220.00	0.10	22.00	Met with Hannah to go over final tasks for finishing the CSI Brief and Exhibit binder.	ARCH
1219.032	08/27/2021	58	A	9	220.00	1.10	242.00	Worked on putting the Glossary together for the Exhibit binder.	ARCH
1219.032	08/27/2021	58	A	9	220.00	0.40	88.00	Reviewed old edits made by Bill to see if any would be of substantive value to the argument section.	ARCH
1219.032	08/27/2021	50	A	9	400.00	4.50	1,800.00	Final proofreading, formatting, and incorporation of team's edits (3.2). Revise glossary and send to Steve/discuss w/ Steve on phone (.8). Final check of exhibits (.3). Review opening brief and RJN filed by CBD (.2).	ARCH
1219.032	08/27/2021	58	A	9	220.00	3.50	770.00	Finished the Exhibit Index, the Exhibit Binder, and the PDF with all the Exhibits.	ARCH
1219.032	08/27/2021	1	A	9	500.00	5.80	2,900.00	Done finalizing CSI's Opening Brief.	ARCH
1219.032	08/31/2021	1	A	9	500.00	1.80	900.00	Continue to review analyzation and outlining of briefs filed by other petitioners,	ARCH
1219.032	09/01/2021	58	A	9	220.00	1.30	286.00	Began reviewing all the petitioners briefs and putting together a summary of all arguments made.	ARCH
1219.032	09/02/2021	58	A	9	220.00	5.80	1,276.00	Continued reviewing all Petitioners briefs and compiling a summary of all the different positions taken by each petitioner.	ARCH
1219.032	09/03/2021	58	A	9	220.00	5.00	1,100.00	Continued review of all Petitioner's Briefs and compiling a summary of their positions. Half way done with all briefs.	ARCH
1219.032	09/04/2021	58	A	9	220.00	1.90	418.00	Reviewing Petitioners' Briefs and summarizing them.	ARCH
1219.032	09/05/2021	58	A	9	220.00	3.70	814.00	Reviewing Petitioner's Briefs and summarizing them.	ARCH
1219.032	09/06/2021	50	A	9	400.00	3.10	1,240.00	Review other opening briefs that were filed.	ARCH
1219.032	09/06/2021	58	A	9	220.00	2.70	594.00	Finishing up reviewing all of Petitioners' Briefs and summarizing them.	ARCH
1219.032	09/07/2021	50	A	9	400.00	2.80	1,120.00	Revise Brett's summaries of opening briefs (1.2). Circulate summaries to team (.1). Participate in conference call. (.9). Draft rough outline of responsive brief and circulate (.6).	ARCH
1219.032	09/07/2021	58	A	9	220.00	1.10	242.00	Put all the information into a word document, edited it, and sent it out for distribution to the team.	ARCH
1219.032	09/07/2021	1	A	9	500.00	1.60	800.00	Telephone conference to strategize on structure and content of November Reply Brief with Brad, Emilia, Hannah, Carl and Steve; and for commentary on content and position taken by other petitioners.	ARCH
1219.032	09/08/2021	50	A	9	400.00	0.10	40.00	Review and respond to Brad's e-mail re: ESA issue and research.	ARCH
1219.032	09/09/2021	58	A	9	220.00	1.30	286.00	Reorganizing exhibit list to include exhibits with proper Bates numbers on it for the record of appeal.	ARCH
1219.032	09/09/2021	50	A	9	400.00	1.50	600.00	Attend status hearing (.6). Phone call w/ Emilia after (.2). Begin pulling exhibits from ROA. (.5). Meet w/ Brett re: research, judicial notice, pulling exhibits (.2).	ARCH
1219.032	09/09/2021	1	A	9	500.00	0.40	200.00	Made comments concerning status check with Judge Yeager and comments about our citing matters not on the record, particularly with exhibits not having ROA citations.	ARCH
1219.032	09/10/2021	58	A	9	220.00	1.50	330.00	Finding all of the exhibits possible in the record of appeal, was able to locate all but 5.	ARCH

**Detail Fee Transaction File List**  
Robison, Sharp, Sullivan & Brust

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount		Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	09/10/2021	58	A	9	220.00	0.20	44.00	Met with Hannah and was instructed to go through and try to find proper citations for all the terms in the glossary.	ARCH
1219.032	09/10/2021	58	A	9	220.00	4.00	880.00	Started to locate citations for all the terms. Found about 35% of the terms needed.	ARCH
1219.032	09/10/2021	50	A	9	400.00	3.60	1,440.00	Review request for judicial notice by georgia pacific, opposition thereto, and joinders thereto (.7). Draft joinder to request for judicial notice (1.2). Research caselaw for same (.5). Go through ROA to pull exhibits for missing PJRs, draft order, etc. (1.2).	ARCH
1219.032	09/10/2021	1	A	9	500.00	1.80	900.00	Continued work on the ROA and scheduling a conference with all participants on how to resolve issues. Conferred about and analyzed Judicial Notice briefing and need for CSI to seek judicial notice of those matters on CSI website but not in and mentioned in ROA.	ARCH
1219.032	09/13/2021	50	A	9	400.00	1.30	520.00	Meet w/ Brett to review glossary for citations (.3). Begin drafting request for judicial notice (1.0).	ARCH
1219.032	09/13/2021	58	A	9	220.00	4.20	924.00	Found more citations for glossary terms.	ARCH
1219.032	09/13/2021	58	A	9	220.00	0.40	88.00	(.3) Met with Hannah to go over next steps with remaining glossary terms without a citation; (.1) Emailed Steve Reich to ask him if he could help provide remaining glossary terms with citations.	ARCH
1219.032	09/13/2021	1	A	9	500.00	0.80	400.00	Continued to review and adapt exhibits to Record in Appeal references with Brett and initiated outline for Request for Judicial Notice.	ARCH
1219.032	09/14/2021	50	A	9	400.00	0.80	320.00	Attend conference call w/ KRR, Brett, Emilia, Brad, Carl, Steve re: request for judicial notice, exhibits, plan for answering brief, schedule for upcoming dates. (.6). Put together google doc for answering brief (.2).	ARCH
1219.032	09/14/2021	58	A	9	220.00	0.50	110.00	(.2) Met with Hannah and asked to draft a motion for judicial notice; (.3) met with Hannah and Kent to discuss strategy with other counsel and how to proceed.	ARCH
1219.032	09/14/2021	1	A	9	500.00	2.70	1,350.00	Prepared for and participated in strategy conference with Hannah, Brad, Emilia, Carl and Steve (1.8). Exchanges with Emilia regarding transcript produced for July 1 status check. Schedule strategy session to discuss SNWA arguments. Looked into structure as created by Hannah for comment at strategy conference (.9).	ARCH
1219.032	09/15/2021	50	A	9	400.00	1.20	480.00	Revise request for judicial notice and send to team for review/comment. (1.2).	ARCH
1219.032	09/15/2021	58	A	9	220.00	4.80	1,056.00	Drafted the Request for Judicial Notice.	ARCH
1219.032	09/15/2021	1	A	9	500.00	0.60	300.00	Received and reviewed Reply in Support of Request for Judicial Notice to incorporate sentiments and arguments in CSI's brief for judicial notice.	ARCH
1219.032	09/16/2021	50	A	9	400.00	1.80	720.00	Revise RJN based on Emilia's and Brad's comments (.3). Finalize amended exhibits. (.3). Revise Glossary (1.2).	ARCH
1219.032	09/16/2021	58	A	9	220.00	0.80	176.00	(.1) Formatted the Final Glossary; (.7) Compiled all exhibits into a Final Exhibit PDF.	ARCH
1219.032	09/21/2021	50	A	9	400.00	2.70	1,080.00	Edit outline of answering brief to include muddy river decree arguments (.5). Review arguments on Muddy River Decree and Decree itself to outline response for answer (1.2). Participate in conference call on Muddy River Decree issue (1.0).	ARCH
1219.032	09/21/2021	58	A	9	220.00	1.40	308.00	(1.1) Had a conference call with counsel, Kent, and Hannah to discuss the next brief; (.3) Strategize with Kent and Hannah about next steps and what to include in the brief.	ARCH
1219.032	09/22/2021	58	A	9	220.00	0.60	132.00	Updated exhibit binder for Kent to include all of the rulings, orders, MOA, and letters in chronological	ARCH

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<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>H P</u>	<u>Tcode/ Task Code</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>		<u>Ref #</u>
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	09/22/2021	58	A	9	220.00	0.20	44.00	order.	ARCH
								Met with Hannah to discuss next steps. Wants me to update brief with all the parties arguments who agree with our stance.	
1219.032	09/22/2021	58	A	9	220.00	4.80	1,056.00	Updated the brief with other petitioners arguments that are in support of, or are similar to, our arguments.	ARCH
1219.032	09/23/2021	58	A	9	220.00	0.70	154.00	Finished inserting other petitioners arguments which support, or are similar, to ours in brief.	ARCH
1219.032	09/27/2021	58	A	9	220.00	0.20	44.00	Met with Hannah to see what I could help on. Wants me to research the ESA to counter NSE arguments and see how other parties used the ESA in their arguments.	ARCH
1219.032	09/27/2021	58	A	9	220.00	1.50	330.00	Reviewed NSE's argument on ESA, how other petitioners argued the ESA, and began to research the ESA and how it works with state agencies.	ARCH
1219.032	09/30/2021	50	A	9	400.00	2.10	840.00	Review Steve's Muddy River Decree analysis (1.0). Analyze Muddy River Decree in light of Steve's memo (.6). Phone call w/ team (Emilia, KRR, Brett, Brad, Carl) re: timeframe for drafting answering brief, assignments for what each person is doing on the answering brief (.5).	ARCH
1219.032	09/30/2021	58	A	9	220.00	0.10	22.00	Met with Hannah to discuss NSE's ESA argument and what to include in the memo for her.	ARCH
1219.032	09/30/2021	58	A	9	220.00	0.40	88.00	Conference call with Kent, Hannah, and other counsel for weekly update.	ARCH
1219.032	09/30/2021	58	A	9	220.00	2.00	440.00	Began reviewing cases cited by NSE for his ESA argument.	ARCH
1219.032	09/30/2021	1	A	9	500.00	0.90	450.00	Prepare for and participate in strategy conference regarding Muddy River decree with Brad, Emilia, Carl, Ed, Hannah.	ARCH
1219.032	10/01/2021	58	A	9	220.00	3.10	682.00	Finished reviewing the cases cited by the NSE for the ESA and began working on the Memo for Hannah.	ARCH
1219.032	10/04/2021	58	A	9	220.00	2.40	528.00	Reviewed, analyzed and evaluated the ESA's applicability to State Cooperation and the authority states have based on the ESA.	ARCH
1219.032	10/05/2021	58	A	9	220.00	2.60	572.00	Reviewed, analyzed and edited the application of the ESA to private parties into the memo for Hannah.	ARCH
1219.032	10/05/2021	58	A	9	220.00	1.30	286.00	Reviewed multiple cases to help define the specific terms within the "taking" portion of the ESA. Found other cases that contradict position taken by NSE.	ARCH
1219.032	10/05/2021	50	A	9	400.00	0.30	120.00	Exchange e-mails with Emilia re: request for judicial notice.	ARCH
1219.032	10/06/2021	58	A	9	220.00	1.50	330.00	Finished writing and editing our memo on the Endangered Species Act to support our position and disprove the NSE's position.	ARCH
1219.032	10/06/2021	50	A	9	400.00	0.30	120.00	Review Brett's memo on the ESA.	ARCH
1219.032	10/08/2021	58	A	9	220.00	1.80	396.00	Reviewed and analyzed the opposition to our motion to take judicial notice by the NSE and SNWA. Began drafting our reply to the opposition.	ARCH
1219.032	10/11/2021	58	A	9	220.00	0.70	154.00	Strategy Conference with Hannah discussing the sections to be included in the Reply along with specific language in the Oppositions to address.	ARCH
1219.032	10/11/2021	58	A	9	220.00	6.00	1,320.00	Drafted and edited the Reply in support of our request for judicial notice.	ARCH
1219.032	10/11/2021	50	A	9	400.00	0.50	200.00	Review NSE and SNWA's oppositions to our request for judicial notice.	ARCH
1219.032	10/11/2021	50	A	9	400.00	0.50	200.00	Meet w/ Brett to discuss strategy and outline of reply in support of request for judicial notice (.3). Respond to team's e-mails about reply brief (.2).	ARCH
1219.032	10/12/2021	50	A	9	400.00	1.70	680.00	Revise reply in support of request for judicial notice (1.2). Research caselaw for the Nevada Supreme 48	ARCH

<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>H P</u>	<u>Tcode/ Task Code</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>		<u>Ref #</u>
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
								Court citing to secondary sources in water law cases (.5).	
1219.032	10/12/2021	58	A	9	220.00	0.30	66.00	Reviewed and discussed the edits made by Hannah on the reply.	ARCH
1219.032	10/14/2021	50	A	9	400.00	4.70	1,880.00	Phone call w/ team re: Steve's discussion on Decree/MOU, strategy going forward and timeline (.7). Research State agency obligations under ESA (2.2). Begin drafting argument section in answering brief on ESA. (1.8).	ARCH
1219.032	10/14/2021	1	A	9	500.00	1.10	550.00	Prepare for and participate in strategy telephone conference with Emilia, Brad, Carl, and Hannah.	ARCH
1219.032	10/22/2021	58	A	9	220.00	0.20	44.00	Strategy conference with Hannah to discuss the Reply Brief and MOA.	ARCH
1219.032	10/22/2021	58	A	9	220.00	2.40	528.00	Began reviewing petitioners briefs and Order 1309 to see how the MOA is argued.	ARCH
1219.032	10/25/2021	58	A	9	220.00	3.30	726.00	Finished reviewing the MOA and inputting specific language into the reply brief to support our position.	ARCH
1219.032	10/28/2021	50	A	9	400.00	2.10	840.00	Continue drafting answering brief re: ESA; agreement on prior appropriation doctrine.	ARCH
1219.032	10/28/2021	1	A	9	500.00	2.00	1,000.00	Index SNWA and Muddy River irrigation districts briefs, so that specific and discrete objections and rebuttals can be drafted.	ARCH
1219.032	10/29/2021	50	A	9	400.00	1.30	520.00	Review Steve's muddy river decree analysis (updated version) with graphic (.5). Phone call w/ Emilia, Carl, Steve, and Anna re: muddy river decree analysis, other updates, plan going forward. (.8).	ARCH
1219.032	10/29/2021	1	A	9	500.00	1.90	950.00	Prepare for strategy conference with client and co-counsel. Participate in telephone conference regarding how to approach and draft responsive brief. Review Steve's previous analysis of US Fish & Wildlife's conduct viz a viz the NSE's argument concerning protecting dase.	ARCH
1219.032	11/01/2021	1	A	9	500.00	0.80	400.00	Work with Hannah on structure of brief due November 24th. Receive and review Muddy River decree analysis and adjusted for laymen comprehension with incorporated graphs in brief.	ARCH
1219.032	11/09/2021	50	A	9	400.00	0.20	80.00	Review and respond to Brad's e-mail re: scheduling time to meet and discuss draft of brief.	ARCH
1219.032	11/09/2021	58	A	9	220.00	0.10	22.00	Retrieving and forwarding ESA memo to Jayne at Emilia's request.	ARCH
1219.032	11/11/2021	50	A	9	400.00	3.80	1,520.00	Continue drafting answering brief re: begin introduction and combine issue section with introduction; reformat section on the issue of 1309 being contrary to law to shorten and draft each section relating to statutory authority, due process, and prior appropriation (2.2). Continue drafting ESA argument re: incidental taking permit and research incidental taking permit steps and requirements (1.6).	ARCH
1219.032	11/12/2021	50	A	9	400.00	5.00	2,000.00	Continue drafting answering brief re: Endangered Species Act: read through cases cited by NSE and distinguish them based on facts of this case. (4.2). Revise intro sections of brief (.8).	ARCH
1219.032	11/12/2021	58	A	9	220.00	0.30	66.00	Strategy conference with Hannah to discuss reply brief and what I could do to help.	ARCH
1219.032	11/12/2021	58	A	9	220.00	1.40	308.00	(1) Editing paragraphs and citing briefs for sections in which we agree with other parties and where in their briefs the information can be found; (.4) reading through the brief to find information which would need an exhibit or citation attached to it.	ARCH
1219.032	11/15/2021	58	A	9	220.00	0.10	22.00	Strategy conference with Hannah to go over the reply brief and missing exhibits.	ARCH
1219.032	11/15/2021	58	A	9	220.00	0.60	132.00	Locating and saving missing exhibits for the reply 49	ARCH

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	11/15/2021	58	A	9	220.00	1.30	286.00	brief that are in the record of appeal.	ARCH
1219.032	11/15/2021	50	A	9	400.00	3.90	1,560.00	Reviewing and analyzing USFWS exhibits in the record of appeal to find documents and statements that would help our argument to defeat the ESA.	ARCH
1219.032	11/16/2021	58	A	9	220.00	0.10	22.00	Continue drafting answering brief re: MOU discussion, continue reviewing other petitioners briefs to discuss key points/areas of disagreement.	ARCH
1219.032	11/16/2021	58	A	9	220.00	0.30	66.00	Strategy conference with Hannah to discuss documents to use in reply brief re: USFWS recommendation on pumping and dace.	ARCH
1219.032	11/16/2021	50	A	9	400.00	4.20	1,680.00	Strategy conference with Kent and Hannah discussing draft of reply brief and scheduling meeting with co-counsel.	ARCH
1219.032	11/16/2021	1	A	9	500.00	0.80	400.00	Continue drafting answering brief re: ESA compliance, CBD's inaccurate conclusions about compliance with the ESA, review testimony from FWS on ESA.	ARCH
1219.032	11/17/2021	58	A	9	220.00	1.90	418.00	Work on brief.	ARCH
1219.032	11/17/2021	50	A	9	400.00	5.90	2,360.00	Reviewing exhibits mentioned in brief, finding documents in the record on appeal, and then inserting the correct citations for the exhibits.	ARCH
1219.032	11/17/2021	1	A	9	500.00	2.80	1,400.00	Continue drafting answering brief re: ESA, MOA, and revising Steve's Muddy River Decree analysis (5.4). Meet w/ KRR to discuss his revisions to draft of brief (.2). Exchange e-mails w/ team re: next steps to finalize brief, edits to brief, etc. (.3).	ARCH
1219.032	11/18/2021	1	A	9	500.00	1.90	950.00	Work on brief. Revisions to Hannah's draft. Reorganize the structure of brief and work on rewriting introduction.	ARCH
1219.032	11/19/2021	50	A	9	400.00	7.00	2,800.00	Work on drafting revised introduction and modifying contents and organization of brief.	ARCH
1219.032	11/19/2021	58	A	9	220.00	0.20	44.00	Redline edit Steve's muddy river decree analysis (4.8). Revise all citations (1.2). Incorporate Brad and Carl's edits into brief (.5). Format brief on pleading paper and send to team (.5).	ARCH
1219.032	11/19/2021	58	A	9	220.00	0.20	44.00	Strategy call with Hannah Kent and Co-Counsel for intervening brief.	ARCH
1219.032	11/19/2021	58	A	9	220.00	1.20	264.00	Strategy conference with Hannah discussing the exhibits for the brief and where to locate them.	ARCH
1219.032	11/19/2021	1	A	9	500.00	1.50	750.00	Pulling exhibits from the record of appeal and inserting them into the brief.	ARCH
1219.032	11/21/2021	50	A	9	400.00	1.00	400.00	Work on brief. Conference with Brad and Emilia regarding contents and structure of brief. Work on approving exhibits and format of brief with insertion of non-ROA diagrams.	ARCH
1219.032	11/22/2021	50	A	9	400.00	3.50	1,400.00	Review and incorporate Brad's edits to brief.	ARCH
1219.032	11/22/2021	58	A	9	220.00	2.00	440.00	Research ESA case to address Brad's comments about standard of review (.3). Incorporate Emilia's edits to brief (1.2). Incorporate Steve's edits to brief (.5). Revise and finalize brief (1.5).	ARCH
1219.032	11/22/2021	58	A	9	220.00	1.20	264.00	Locating citations in the ROA for Emilia's citations and putting them into the brief.	ARCH
1219.032	11/23/2021	50	A	9	400.00	0.30	120.00	Creating a citation index, compiling all exhibits into a single PDF, and finishing edits on the citations for intervenors brief.	ARCH
1219.032	11/23/2021	58	A	9	220.00	0.10	22.00	Exchange e-mails w/ Brad re: final edits on brief (.2). Discuss finalizing brief and filing procedure w/ Jayne (.1).	ARCH
1219.032	11/23/2021	1	A	9	500.00	1.90	950.00	Putting together the final intervention brief draft with all exhibits into a single PDF.	ARCH
								Began reviewing briefs submitted by co-petitioners. Organize and index each according to case number and chronology. Highlight and index SNWA's arguments.	50

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	11/24/2021	58	A	9	220.00	0.10	22.00	Reading Emilia's email for all the briefs and looking through the folder at other briefs.	ARCH
1219.032	11/24/2021	1	A	9	500.00	0.90	450.00	Continue to review brief filed by Sierra Pacific Power Co. - index and analyze.	ARCH
1219.032	11/25/2021	1	A	9	500.00		-3,900.00	Discount per Kent Robison.	ARCH
<b>BALANCE DUE BEFORE 12/22/21</b>									
1219.032	11/25/2021	50	A	9	400.00		-6,100.00	Discount per Hannah Winston.	ARCH
<b>BALANCE DUE BEFORE 12/22/21</b>									
1219.032	11/29/2021	58	A	9	220.00	1.20	264.00	Compiling all the intervenors briefs into a singular binder for Kent to read.	ARCH
1219.032	11/29/2021	58	A	9	220.00	0.90	198.00	Began reviewing and summarizing the intervenors briefs with their positions and parties they oppose (CBD's brief).	ARCH
1219.032	11/30/2021	58	A	9	220.00	2.50	550.00	Finish review and summary of CBDs intervening brief.	ARCH
1219.032	11/30/2021	58	A	9	220.00	0.80	176.00	Reviewed and summarized Georgia-Pacific's intervening brief.	ARCH
1219.032	11/30/2021	58	A	9	220.00	1.30	286.00	Reviewed and summarized Vidler's intervening brief responding to CBD's petition for judicial review.	ARCH
1219.032	12/01/2021	58	A	9	220.00	3.40	748.00	Reviewed and summarized Vidler's intervening brief to SNWA and MVIC.	ARCH
1219.032	12/01/2021	58	A	9	220.00	1.40	308.00	Reviewed and summarized the Church of Latter-Day Saints intervening brief.	ARCH
1219.032	12/01/2021	58	A	9	220.00	1.20	264.00	Reviewed and began summarizing MVWD's intervening brief.	ARCH
1219.032	12/02/2021	58	A	9	220.00	1.30	286.00	Finished summary for MVWD intervening brief.	ARCH
1219.032	12/02/2021	58	A	9	220.00	1.30	286.00	Began reviewing and summarizing MVICs intervening brief.	ARCH
1219.032	12/03/2021	58	A	9	220.00	1.30	286.00	Finished review and summary of MVIC's answering brief.	ARCH
1219.032	12/03/2021	58	A	9	220.00	0.30	66.00	Reviewed and summarized NCA's answering brief.	ARCH
1219.032	12/03/2021	58	A	9	220.00	3.80	836.00	Reviewed and summarized the NSE's answering brief.	ARCH
1219.032	12/05/2021	58	A	9	220.00	1.30	286.00	Began reviewing and summarizing SNWA's answering brief.	ARCH
1219.032	12/06/2021	50	A	9	400.00	0.90	360.00	Meet w/ KRR re: topics for oral argument (.3). Review e-mails amongst Emilia Brad KRR re: time to meet today (.1). Phone call w/ Brad Emilia KRR (.5).	ARCH
1219.032	12/06/2021	58	A	9	220.00	0.10	22.00	Grabbing and reviewing documents in preparation for the hearing.	ARCH
1219.032	12/06/2021	58	A	9	220.00	0.80	176.00	Attended the hearing with Kent today regarding the upcoming brief and other dates.	ARCH
1219.032	12/06/2021	58	A	9	220.00	0.60	132.00	Drafted a memo for everyone regarding the date changes and the ideas suggested by Taggart for the benefit of the Court.	ARCH
1219.032	12/06/2021	58	A	9	220.00	3.00	660.00	Finished reviewing and summarizing SNWA's answering brief.	ARCH
1219.032	12/06/2021	58	A	9	220.00	0.60	132.00	Reviewed and summarized NV Energy's answering brief.	ARCH
1219.032	12/06/2021	58	A	9	220.00	1.80	396.00	Edited all the summaries and finalized the summary to send to Kent and Hannah.	ARCH
1219.032	12/06/2021	1	A	9	500.00	3.30	1,650.00	Review documents and status of orders before Judge Yeger in preparation for conference with Hannah, Brad, and Emilia. Conference with co-counsel concerning steps necessary to protect record on "topics to be identified by parties".	ARCH
1219.032	12/07/2021	50	A	9	400.00	0.30	120.00	Revise Brad's list of topics (.1). Review Brad's edited list of topics and give approval (.2).	ARCH
1219.032	12/08/2021	50	A	9	400.00	0.30	120.00	Review suggested edits by opposing parties on list of topics for hearing.	ARCH
1219.032	12/13/2021	50	A	9	400.00	0.40	160.00	Review Sylvia's question about adding a general category of the list of issues and respond to Brad's	ARCH

**Detail Fee Transaction File List**  
Robison, Sharp, Sullivan & Brust

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount	Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
							question about whether we agree (.1). Review order denying judicial notice and striking georgia pacific's brief (.3).	
1219.032	12/14/2021	50	A	9	400.00	1.90	760.00 Review list of issues circulated by Taggart (.2). Set up google doc for reply brief and send to team (.2). Begin reviewing answering brief filed by State Engineer (.5) and begin outline of reply brief (1.0).	ARCH
1219.032	12/15/2021	50	A	9	400.00	0.20	80.00 Review further changes to outline of issues for reply brief.	ARCH
1219.032	12/16/2021	50	A	9	400.00	0.30	120.00 Review state engineer proposed order and send comment to team.	ARCH
1219.032	12/22/2021	50	A	9	400.00	2.00	800.00 Review motion to dismiss filed in civil action and give Emilia and Bill feedback on thoughts for the opposition. (1.0). Continue outlining response to NSE answering brief (1.0).	ARCH
1219.032	12/22/2021	58	A	9	220.00	0.20	44.00 Strategy conference with Kent re: upcoming dates for case, the reply brief and the summaries of the intervening briefs.	ARCH
1219.032	12/22/2021	58	A	9	220.00	0.50	110.00 Compiling a binder of summaries of the opening briefs and intervening briefs for Kent.	ARCH
1219.032	12/27/2021	1	A	9	500.00	0.70	350.00 Negotiations with co-counsel to determine whether court should sign an order allowing reply briefs to address topic by topic rather than structure as decided by individual petitioners.	ARCH
1219.032	12/29/2021	50	A	9	400.00	7.70	3,080.00 Continue drafting reply brief re: standard of review, legal authority analysis (4.2). Research standard of review and level of deference to state engineer for legal versus factual issues (1.0). Research Nevada legislative history and Nevada history re: basin identification and establishment (2.5).	ARCH
1219.032	12/30/2021	50	A	9	400.00	6.40	2,560.00 Phone call w/ Brad re: most important areas to focus on in reply brief, who is doing what, etc. (.4). Continue researching Nevada legislative history and caselaw re: references to managing basins on a basin-by-basin approach (3.2). Continue drafting statutory interpretation analysis for statutes relied on by state engineer (2.8).	ARCH
1219.032	01/03/2022	50	A	9	400.00	1.30	520.00 Continue drafting reply brief.	ARCH
1219.032	01/05/2022	50	A	9	400.00	6.00	2,400.00 Research history of Nevada basins to refute NSE argument that because the Legislature doesn't address the issue, that leaves it to the NSE to decide it. (2.0). Continue drafting legal authority argument (2.3). Phone call w/ Brad re: plan for finishing brief (.2). Review ROA to determine if any exhibits can help basin interpretation argument (1.5).	ARCH
1219.032	01/06/2022	58	A	9	220.00	0.10	22.00 Strategy conference with KRR and HEW re: reply brief due Jan. 11th.	ARCH
1219.032	01/06/2022	58	A	9	220.00	2.00	440.00 Searching and pulling documents from the ROA of old publications that are referenced in our 1303 report.	ARCH
1219.032	01/06/2022	50	A	9	400.00	7.50	3,000.00 Continue drafting argument re: Rush report, identification of Nevada basins, statutory analysis for legal authority, NRS Ch 534.110, NRS Ch 534.030, etc. (2.8). Research statutory analysis and review the NSE's briefs and comments about basin by basin management in other water rights cases (3.0). Meet w/ KRR to discuss using NSE brief from other case in support of reply brief (.5). Research treatment of groundwater versus surface flow water for conflict issue (1.2).	ARCH
1219.032	01/06/2022	1	A	9	500.00	0.90	450.00 Continue to work on final brief and engage in co-counsel strategy negotiations as to whether to attach the Dutch Flat brief to our filings showing Nevada State Engineer always considering matters	ARCH



Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount	Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
							controlling ground water on a basin by basin approach.	
1219.032	01/07/2022	50	A	9	400.00	7.10	2,840.00	ARCH
							Continue drafting analysis re: substantial evidence (3.2). Phone call w/ team re: plan for hearing, brief, etc. (.5). Continue reviewing ROA for exhibits (1.0). Review SNWA's arguments on legal authority to refute in reply brief and add those arguments to reply brief (2.4).	
1219.032	01/07/2022	1	A	9	500.00	2.40	1,200.00	ARCH
							Continue to work on brief with Hannah. Review summaries provided by Brett of opposition briefs. Telephone conference with Steve, Brad, Emilia, Carl, Hannah.	
1219.032	01/09/2022	50	A	9	400.00	1.80	720.00	ARCH
							Continue drafting and revising reply brief.	
1219.032	01/09/2022	1	A	9	500.00	2.30	1,150.00	ARCH
							Work on Reply Brief.	
1219.032	01/10/2022	58	A	9	220.00	0.20	44.00	ARCH
							Strategy conference with KRR and HEW re: reply brief and NSE's brief filed in another case to support our position.	
1219.032	01/10/2022	58	A	9	220.00	0.10	22.00	ARCH
							Strategy conference with HEW re: final changes to brief, exhibits needed, and potential other exhibits to use.	
1219.032	01/10/2022	58	A	9	220.00	2.40	528.00	ARCH
							Reviewing brief to correct short cites, inserting exhibits into the brief, and making edits to brief for HEW.	
1219.032	01/10/2022	50	A	9	400.00	6.80	2,720.00	ARCH
							Research legislative history for argument on hydrographic basins (2.1). Review ROA for notes and comments that State Engineer wants to omit (1.0). Meet w/ KRR to strategize re: introduction and finishing brief (1.2). Finish drafting and revising brief (2.5).	
1219.032	01/10/2022	1	A	9	500.00	4.10	2,050.00	ARCH
							Work on brief. Work on revisions. Read cases. Rewrote introduction. Inter-office collaboration with Hannah.	
1219.032	01/11/2022	50	A	9	400.00	1.50	600.00	ARCH
							Review ROA documents from Emilia that have been changed by NSE (.3). Discuss same w/ KRR (.2). Finalize brief for filing (1.0).	
1219.032	01/11/2022	1	A	9	500.00	1.90	950.00	ARCH
							Work in collaboration with regard to reply brief. Re-wrote introduction with regard to analysis of statutory authority on which NSE relies.	
1219.032	01/11/2022	1	A	9	500.00	3.30	1,650.00	ARCH
							Commence immediate review of SNWA's reply brief, Muddy Valley Irrigation Co.'s reply brief, and CBD's reply brief.	
1219.032	01/13/2022	58	A	9	220.00	0.30	66.00	ARCH
							Uploading and sending counsel all the briefs filed by all parties thus far.	
1219.032	01/13/2022	58	A	9	220.00	0.10	22.00	ARCH
							Strategy conference with KRR re: argument next week.	
1219.032	01/13/2022	50	A	9	400.00	0.20	80.00	ARCH
							Exchange e-mails w/ team re: time to chat next week for strategy on oral argument.	
1219.032	01/13/2022	1	A	9	500.00	2.10	1,050.00	ARCH
							Start review, outline and analysis of SNWA reply briefs. Tried to establish outline and index for common names and reply briefs.	
1219.032	01/14/2022	50	A	9	400.00	1.20	480.00	ARCH
							Begin drafting findings of fact conclusions of law.	
1219.032	01/14/2022	1	A	9	500.00	2.20	1,100.00	ARCH
							Work on brief for status conference and work on preparing for emails with Emilia. Start draft of status conference statement regarding structure of oral arguments and how proposed Findings of Facts are to be handled by court.	
1219.032	01/18/2022	50	A	9	400.00	1.60	640.00	ARCH
							Phone call w/ team re: protocol for hearing (.5). Meet w/ KRR to draft statement for hearing (.8). Revise statement (.3).	
1219.032	01/18/2022	1	A	9	500.00	1.10	550.00	ARCH
							Worked on statement for structure of oral argument. Collaborate with co-counsel. Telephone conference with Emilia and Brad regarding how to structure closing arguments to most benefit CSI.	
1219.032	01/19/2022	50	A	9	400.00	0.30	120.00	ARCH
							Draft errata to case status hearing statement.	53

<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>H P</u>	<u>Tcode/ Task Code</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>		<u>Ref #</u>
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	01/19/2022	1	A	9	500.00	1.40	700.00	Discussions with Paul Taggart, Seth Carlson. Email exchanges regarding February 20th hearing. Draft and finalize CSI status conference statement. Circulate for comment, included minor revisions and filed status conference statement with court. Prepare for status conference with court concerning structure and order of oral arguments.	ARCH
1219.032	01/20/2022	50	A	9	400.00	3.00	1,200.00	Meet w/ KRR to discuss hearing on oral argument protocol and attend hearing re: protocol (2). Continue drafting Findings of Fact and Conclusions of Law (1.0).	ARCH
1219.032	01/20/2022	1	A	9	500.00	3.10	1,550.00	Prepare for and participate in status check conducted by court for determination of how oral arguments would be structured and presented. Post hearing debrief with Emilia and Brad.	ARCH
1219.032	01/21/2022	1	A	9	500.00	2.90	1,450.00	Work on preparing cited statutes with power point illustration and argument, including NRS 534.030, .035, .050, .090, and .450. Review and prepare for power point presentation statutes cited by Defendants for distinction and explanation. Analyze permits issued to CSI #4677, 74095, 70429, 70430, and 74090 to decipher and understand conditional language attached to each permit.	ARCH
1219.032	01/24/2022	50	A	9	400.00	2.00	800.00	Continue drafting FFCL. (1.2). Meet w/ KRR and Brett to discuss each person's role for same (.8).	ARCH
1219.032	01/24/2022	58	A	9	220.00	1.40	308.00	Started pulling record cites for all the rulings, orders, and different filings in the case to help with findings of fact.	ARCH
1219.032	01/24/2022	58	A	9	220.00	0.90	198.00	Strategy conference with KRR and HEW re: layout of findings of fact, which documents to include, and which witnesses/reports would be most beneficial to us.	ARCH
1219.032	01/24/2022	58	A	9	220.00	0.30	66.00	Locating and printing off Vidler's 1303 report and CSI's 1303 report for KRR to review for findings of fact.	ARCH
1219.032	01/24/2022	58	A	9	220.00	2.90	638.00	Reviewing and analyzing deposition transcripts of 9/23/19 hearing to find beneficial information for our findings of fact.	ARCH
1219.032	01/24/2022	1	A	9	500.00	4.20	2,100.00	Work on findings of fact, conclusions of law. Work on outline. Distribute outline. Compare outline to structure of opening brief and reply brief. Began to assemble hard copies for power point presentation. Went through witness testimony to find pertinent facts that might be advantageous to CSI. Review expert reports to find facts conducive to fairable findings.	ARCH
1219.032	01/25/2022	50	A	9	400.00	4.50	1,800.00	Continue drafting FFCL and reviewing ROA. (3.2). Meet w/ KRR to discuss same (1.0). Phone call w/ Team re: strategy and breaking up assignments. (3).	ARCH
1219.032	01/25/2022	58	A	9	220.00	1.40	308.00	Reviewing hearing transcript from USFWS day to pull information for our Findings of Fact and Conclusions of Law.	ARCH
1219.032	01/25/2022	58	A	9	220.00	0.50	110.00	Phone call with HEW, KRR, and co-counsel re: Findings of Facts and Conclusions of Law and determining how it should be broken up amongst the team.	ARCH
1219.032	01/25/2022	58	A	9	220.00	0.50	110.00	Meeting with HEW and KRR to being drafting Findings of Facts and Conclusions of Law.	ARCH
1219.032	01/25/2022	58	A	9	220.00	1.20	264.00	Reviewing and printing all NRS statutes cited in Reply Brief.	ARCH
1219.032	01/25/2022	58	A	9	220.00	1.90	418.00	Began reviewing and pulling testimony to support our position for the five factors laid out in the 1303 notice for FFCL.	ARCH
1219.032	01/25/2022	1	A	9	500.00	4.10	2,050.00	Prepare for telephone conference with Emilia, Brad,	ARCH

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount	Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>								
							Steve and Hannah. Telephone conference. Work on outline for findings of fact and started reviewing Steve's report of Zong International report and orders and rulings for specific facts to put in findings of fact.	
1219.032	01/26/2022	50	A	9	400.00	4.40	1,760.00	ARCH
1219.032	01/26/2022	58	A	9	220.00	2.40	528.00	ARCH
1219.032	01/26/2022	58	A	9	220.00	2.70	594.00	ARCH
1219.032	01/26/2022	58	A	9	220.00	0.10	22.00	ARCH
1219.032	01/26/2022	1	A	9	500.00	1.10	550.00	ARCH
1219.032	01/27/2022	50	A	9	400.00	2.00	800.00	ARCH
1219.032	01/27/2022	58	A	9	220.00	4.60	1,012.00	ARCH
1219.032	01/27/2022	1	A	9	500.00	0.90	450.00	ARCH
1219.032	01/28/2022	1	A	9	500.00	0.80	400.00	ARCH
1219.032	01/30/2022	1	A	9	500.00	4.30	2,150.00	ARCH
1219.032	01/31/2022	50	A	9	400.00	1.20	480.00	ARCH
1219.032	01/31/2022	1	A	9	500.00	3.20	1,600.00	ARCH
1219.032	02/01/2022	50	A	9	400.00	0.20	80.00	ARCH
1219.032	02/02/2022	50	A	9	400.00	2.00	800.00	ARCH
1219.032	02/02/2022	58	A	9	220.00	1.60	352.00	ARCH
1219.032	02/02/2022	58	A	9	220.00	1.60	352.00	ARCH
1219.032	02/02/2022	58	A	9	220.00	0.50	110.00	ARCH
1219.032	02/02/2022	58	A	9	220.00	0.80	176.00	ARCH
1219.032	02/02/2022	58	A	9	220.00	0.90	198.00	ARCH
1219.032	02/02/2022	58	A	9	220.00	1.40	308.00	ARCH

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	02/02/2022	58	A	9	220.00	0.30	66.00	Compile and send Mark all maps and created exhibits to help him prepare a presentation for oral arguments.	ARCH
1219.032	02/02/2022	58	A	9	220.00	1.40	308.00	(.8) Review Petition for Judicial Review and Opening Brief to locate statutes used by both parties; (.6) Print and highlight all statutes cited in both briefs.	ARCH
1219.032	02/02/2022	1	A	9	500.00	3.80	1,900.00	Work on structure, timing, and order of closing argument with Brad, Emilia, and Hannah. Office conference with Mark Ivey to work on power points and demonstrative displays of portions or parts of ROA.	ARCH
1219.032	02/03/2022	58	A	9	220.00	0.10	22.00	Printing off documents for KRR in preparation of the meeting tomorrow.	ARCH
1219.032	02/03/2022	1	A	9	500.00	0.90	450.00	Telephone conference with Hannah and Steve Reich to determine effect of pumping at Muddy River Springs area compared to pumping from MX 5 and Coyote Springs eastern side pumps.	ARCH
1219.032	02/04/2022	50	A	9	400.00	1.00	400.00	Phone call w/ Steve and Kent re: technical water law term explanation.	ARCH
1219.032	02/04/2022	58	A	9	220.00	2.00	440.00	Started drafting a chronology with key information from all the Rulings and Orders up until the May 16, 2018 letter from the SE to LVVWD.	ARCH
1219.032	02/04/2022	1	A	9	500.00	3.10	1,550.00	Work on closing argument by careful review of 1169, 1169(a). Start thorough analysis of 2006 MOA and its implications on 1309. 1.5 hour conference with Steve Reich concerning the science, technical information, and words of art used in 1169 MOA and rulings.	ARCH
1219.032	02/06/2022	1	A	9	500.00	3.10	1,550.00	Closing argument preparation. Studied and analyzed Steve's 1303 report. Analyze each of the seven rulings that were issued denying permanent applications for five of the basins. Reconcile language in rulings with language in 1309.	ARCH
1219.032	02/07/2022	50	A	9	400.00	1.50	600.00	Meet w/ KRR to discuss oral argument structure and strongest points.	ARCH
1219.032	02/07/2022	58	A	9	220.00	0.50	110.00	Strategy conference with KRR re: chronology of rulings and orders, and presentation slides for oral argument.	ARCH
1219.032	02/07/2022	58	A	9	220.00	1.50	330.00	Strategy conference with KRR and HEW re: oral argument structure and best way to convey theme/best arguments.	ARCH
1219.032	02/07/2022	58	A	9	220.00	2.60	572.00	Reviewing the 1984 report proposing a study on Southern Nevada "Carbonate Terrane" and the 1995 results of such study.	ARCH
1219.032	02/07/2022	58	A	9	220.00	1.80	396.00	Reviewing all rulings and compiling a list of the basins, applications in the basins, who submitted the applications, and for what amount of pumping each application asked for.	ARCH
1219.032	02/07/2022	58	A	9	220.00	0.70	154.00	Printing off statutes and highlighting relevant portions of the statutes that are cited in our reply in support of our opening brief.	ARCH
1219.032	02/07/2022	58	A	9	220.00	0.20	44.00	Locating and printing off maps to be used as slides in the powerpoint.	ARCH
1219.032	02/07/2022	1	A	9	500.00	2.80	1,400.00	Work with Brett and Hannah on closing argument and power point slides for demonstrative presentations for CSI's points and arguments.	ARCH
1219.032	02/08/2022	50	A	9	400.00	0.20	80.00	Exchange e-mails w/ Steve re: setting time to meet to go over demonstrative for oral argument.	ARCH
1219.032	02/08/2022	58	A	9	220.00	0.20	44.00	Retrieving more slides and maps to send to Mark Ivey to include in PowerPoint for oral argument.	ARCH
1219.032	02/08/2022	58	A	9	220.00	0.10	22.00	Phone call with Mark Ivey re: PowerPoint, Structure of Slides, and meeting time on thursday.	ARCH
1219.032	02/09/2022	50	A	9	400.00	0.20	80.00	Exchange e-mails w/ Brad re: ESA argument.	ARCH
1219.032	02/09/2022	1	A	9	500.00	2.60	1,300.00	Work on slides for argument. Continue analysis of	ARCH

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<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
								operative documents in preparation for closing argument.	
1219.032	02/10/2022	58	A	9	220.00	1.10	242.00	Meeting with Mark Ivey and KRR re: oral argument presentation, slides, and what slides are still needed.	ARCH
1219.032	02/10/2022	58	A	9	220.00	0.50	110.00	Compiling and emailing Mark more maps and SE ROA pages to add to slide show for oral argument.	ARCH
1219.032	02/10/2022	58	A	9	220.00	0.30	66.00	(.1) Phone call with Mark about the timeline slide for powerpoint; (.2) review powerpoint slides and email Mark comments.	ARCH
1219.032	02/10/2022	1	A	9	500.00	2.10	1,050.00	Work on closing argument. Meeting with Mark Ivey to start designing and uploading exhibits, power points, and trial directory, demonstrative aids. Prepare for and participate in joint co-counsel strategy session with Steve and Carl to prepare for next weeks closing arguments.	ARCH
1219.032	02/11/2022	50	A	9	400.00	0.50	200.00	Call w/ Team re: structure, substance, and timing of oral argument.	ARCH
1219.032	02/11/2022	58	A	9	220.00	0.50	110.00	Email correspondence with the team sending out copies of draft powerpoint for oral argument.	ARCH
1219.032	02/11/2022	58	A	9	220.00	4.00	880.00	Working with KRR and Mark Ivey to get structure and slides finalized for oral argument on monday.	ARCH
1219.032	02/11/2022	58	A	9	220.00	0.70	154.00	(.5) finalizing slides, numbering slides, uploading them, and sending them to Mark to have him input information into presentation; (.2) Emailing Brad docs request for oral argument.	ARCH
1219.032	02/11/2022	1	A	9	500.00	3.50	1,750.00	Telephone conference among counsel to review strategies, timing, and outline of presentations. Conference with Mark Ivey. Work on slides.	ARCH
1219.032	02/12/2022	1	A	9	500.00	2.60	1,300.00	Start assembling binders for arguments to be presented.	ARCH
1219.032	02/13/2022	1	A	9	500.00	4.50	2,250.00	Argument preparation by reviewing operative documents, including all rulings, 1169, 1169(a), Idiographic maps and refined opening, closing argument for tomorrow's presentation.	ARCH
1219.032	02/14/2022	58	A	9	220.00	1.10	242.00	Sat in on oral arguments via bluejeans and listened to Brad and KRR argue while discussing things with HEW on points we could add more to.	ARCH
1219.032	02/14/2022	50	A	9	400.00	6.00	2,400.00	Observe hearing, take notes, and look up issues for rebuttal argument (6).	ARCH
1219.032	02/14/2022	1	A	9	500.00	8.40	4,200.00	Pre-argument meeting. Briefing with client and co-counsel. Participate and gave opening/closing argument and debrief with client and co-counsel after hearing.	ARCH
1219.032	02/15/2022	58	A	9	220.00	1.10	242.00	Strategy conference with KRR and HEW re: Excel spreadsheet of priority and statutes cited by the judge in the hearing.	ARCH
1219.032	02/15/2022	58	A	9	220.00	1.20	264.00	Reviewing the NRS chapter 533 and 534 for the word "basin" and how it was used.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.20	44.00	Printing off NRS 534.110 and 534.120 for review and powerpoint slides.	ARCH
1219.032	02/15/2022	58	A	9	220.00	1.40	308.00	Meeting with Mark Ivey to go over rebuttal slides and create new slides.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.10	22.00	Emailed Mark missing statutes and slides for KRR's rebuttal argument.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.30	66.00	Strategy conference with KRR re: faults and how they impact flow of water in CSV.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.80	176.00	Finding different maps which depict the faults in CSV and location of the wells along the faults.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.90	198.00	Reviewing the Dettinger report again for more information about the rock underlying most of the southwestern states and how faults impact water flow.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.50	110.00	Constructing 10 sets of the excel spreadsheet to be given at oral argument.	ARCH

**Detail Fee Transaction File List**  
Robison, Sharp, Sullivan & Brust

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount		Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	02/15/2022	58	A	9	220.00	0.20	44.00	Scanning and sending Brad the rebuttal slides KRR plans on using.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.30	66.00	(.2) putting together the slides Brad wants to send Mark Ivey; (.1) email Mark the slides Brad wants.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.40	88.00	Printing off the slides that Taggart cited in his argument for KRR to use in intervenor's argument and rebuttal.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.50	110.00	Strategy conference with KRR, HEW, and co-counsel re: strategy for tomorrow and what documents would be best for arguments.	ARCH
1219.032	02/15/2022	58	A	9	220.00	0.30	66.00	(.2) compiled slides for HEW's argument; (.1) sent slides for HEW's argument to Mark Ivey.	ARCH
1219.032	02/15/2022	59	A	9		0.60	0.00	Prepare presentation pages for KRR.	ARCH
1219.032	02/15/2022	50	A	9	400.00	6.70	2,680.00	Observe and take notes on oral argument (4.2). Prepare argument for hearing (2.5).	ARCH
1219.032	02/15/2022	1	A	9	500.00	8.90	4,450.00	Observe, took notes, and collaborate regarding closing arguments of co-petitioners and opening arguments of interveners, Grand Church, North Las Vegas Water, and Sierra Pacific. Work on format and outline for intervenor argument with Hannah and Brad.	ARCH
1219.032	02/16/2022	58	A	9	220.00	5.50	1,210.00	Sat in on oral arguments via Bluejeans; fact checked opposing parties briefs for cases cited and language of statutes used; provided information for HEW and co-counsel re: ROA cites and NRS 532, 533, 534 statutes to be used in rebuttal arguments.	ARCH
1219.032	02/16/2022	50	A	9	400.00	12.30	4,920.00	Prepare for oral argument (2.8). Attend and participate in oral argument (8.0). Debrief w/ team (.5). Review notes from hearing and send to KRR for final reply argument (1.0).	ARCH
1219.032	02/16/2022	1	A	9	500.00	8.10	4,050.00	Arguments. Work with Mark on slides for reply argument. Present argument in Court. Preliminary research concerning Mary Carter settlements. Collaboration with co-counsel Steve regarding curious timing of settlements and how CSI should react thereto.	ARCH
1219.032	02/17/2022	50	A	9	400.00	5.00	2,000.00	Continue watching oral argument, taking notes, and discussing with KRR, Brad, Emilia.	ARCH
1219.032	02/17/2022	58	A	9	220.00	0.20	44.00	Strategy conference with HEW re: final day of arguments.	ARCH
1219.032	02/17/2022	58	A	9	220.00	0.90	198.00	Sat in on beginning of argument when SNWA and MVIC announced their potential settlement with the NSE.	ARCH
1219.032	02/17/2022	58	A	9	220.00	0.60	132.00	Reviewed cases cited by counsel to argue that the settlement was not in good faith and should not be allowed.	ARCH
1219.032	02/17/2022	58	A	9	220.00	0.40	88.00	Debrief of oral arguments with KRR and HEW re: settlement with CBD and NSE, and other settlement from the morning with MVIC and SNWA.	ARCH
1219.032	02/17/2022	58	A	9	220.00	0.20	44.00	Compiling all slides used during oral arguments to send to the clerk in Vegas.	ARCH
1219.032	02/17/2022	1	A	9	500.00	7.10	3,550.00	Work with Mark Ivey to organize slides and exhibits for rebuttal argument. Prepare for rebuttal argument. Collaborate with Brad and Emilia on rebuttal argument. Appear in court, argue against settlement on record, gave closing rebuttal argument, monitor closing arguments of other petitioners. Commence research on Mary Carter settlements and consider research on spoliation letter. Work on assembling all power point slides and trial directory slides to be submitted to court clerk and served on all other parties.	ARCH
1219.032	02/18/2022	50	A	9	400.00	0.30	120.00	Meet w/ KRR to discuss litigation hold letter.	58 ARCH
1219.032	02/18/2022	58	A	9	220.00	0.30	66.00	Strategy conference with KRR and HEW re:	ARCH

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount	Ref #
Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC								
							spoliation letter.	
1219.032	02/18/2022	58	A	9	220.00	0.30	66.00 Searching and pulling past spoliation letters for KRR to draft.	ARCH
1219.032	02/18/2022	58	A	9	220.00	2.30	506.00 Reviewing all of Order 1303 and 1309 to see if any part of 1303 was left in and not rescinded by 1309.	ARCH
1219.032	02/18/2022	58	A	9	220.00	0.10	22.00 Email Steve to setup a call with KRR and myself re: pumpage chart attached to Order 1303.	ARCH
1219.032	02/18/2022	1	A	9	500.00	1.80	900.00 Debrief with counsel and work on spoliation letter.	ARCH
1219.032	02/22/2022	58	A	9	220.00	0.50	110.00 Strategy conference with KRR re: bad faith settlements, Mary Carter Agreements, Lum decision, and looking for other cases supporting our position.	ARCH
1219.032	02/22/2022	58	A	9	220.00	3.80	836.00 Researching and analyzing cases for "Mary Carter" agreements and policies disfavoring them to support our opposition to petitioners motion to put their settlement in the record.	ARCH
1219.032	02/22/2022	58	A	9	220.00	0.70	154.00 (5) compiling all the slides used for arguments and sent them to the court clerk and other parties; (2) spoke with court clerk about getting the audio of the hearings expedited to us.	ARCH
1219.032	02/22/2022	58	A	9	220.00	0.20	44.00 Call with KRR, Emilia and Brad re: Spoliation letter and opposition to petitioners' motion.	ARCH
1219.032	02/22/2022	58	A	9	220.00	0.80	176.00 Begin drafting argument section for our opposition to Petitioners' motion to submit their settlement to the record.	ARCH
1219.032	02/22/2022	1	A	9	500.00	2.80	1,400.00 Work on spoliation. Work on preliminary draft of opposition to motion for good faith settlement. Process exhibits with court clerk. Conference with Emilia and Brad. Process filing for documents used at closing arguments.	ARCH
1219.032	02/23/2022	58	A	9	220.00	1.40	308.00 Researching ways to conduct limited discovery based on the settlement between SNWA, MVIC, CBD and the SE.	ARCH
1219.032	02/23/2022	58	A	9	220.00	0.10	22.00 Email correspondence with Co-counsel and the Court re: Audio recordings for last weeks hearings.	ARCH
1219.032	02/23/2022	58	A	9	220.00	1.50	330.00 Researching and analyzing cases interpreting the district court rule 16 (stipulations on the record) and the Court's responsibility with that rule.	ARCH
1219.032	02/23/2022	50	A	9	400.00	0.30	120.00 Help Brett w/ Motion for Discovery on good faith settlement.	ARCH
1219.032	02/23/2022	1	A	9	500.00	0.80	400.00 Work with Brett on researching cases concerning Mary Carter type settlements, including out-of-state cases. Draft basic outline for opposition to motion for good faith settlement. Work with Hannah on motion for evidentiary hearing in limited discovery.	ARCH
1219.032	02/24/2022	58	A	9	220.00	2.90	638.00 Drafted argument section for our opposition to settlement between SNWA, MVIC, CBD, and the SE.	ARCH
1219.032	02/25/2022	50	A	9	400.00	0.20	80.00 Review Taggart and Dotson letters re: spoliation.	ARCH
1219.032	02/28/2022	58	A	9	220.00	1.30	286.00 Continued drafting opposition to SNWA, MVIC, and CBDs settlement being put on the record with the court.	ARCH
1219.032	02/28/2022	58	A	9	220.00	1.00	220.00 Researching cases that allow for expedited discovery on settlements under NRCP 16.1 and 26.	ARCH
1219.032	02/28/2022	58	A	9	220.00	0.70	154.00 Begin drafting motion for permission to conduct limited discovery re: settlement between SNWA, MVIC, CBD and the NSE.	ARCH
1219.032	03/07/2022	58	A	9	220.00	0.20	44.00 Strategy conference with KRR re: evidentiary hearing and motion to conduct limited discovery.	ARCH
1219.032	03/15/2022	58	A	9	220.00	1.60	352.00 (4) searching through old firm files to see if there is a previous motion filed to conduct limited discovery; (1.2) researching all jurisdictions for case law re: motion to conduct limited discovery on a settlement.	ARCH
1219.032	03/15/2022	50	A	9	400.00	0.20	80.00 Review and respond to Emilia and Brad's e-mails re: no motion for good faith settlement.	ARCH

**Detail Fee Transaction File List**  
Robison, Sharp, Sullivan & Brust

Client	Trans Date	Tkpr	H P	Tcode/ Task Code	Rate	Hours to Bill	Amount		Ref #
<b>Client ID 1219.032 Wingfield Nevada Group Holding Company, LLC</b>									
1219.032	03/30/2022	58	U	9	220.00	0.30	66.00	Strategy conference with KRR, MGD, and HEW re: appeal to come and opposition to settlement.	673
1219.032	03/30/2022	58	U	9	220.00	2.60	572.00	Continue to draft motion to conduct limited discovery.	674
1219.032	03/30/2022	58	U	9	220.00	1.10	242.00	Reviewing oral argument videos from the final day to help with drafting opposition to good faith settlement and motion to conduct limited discovery.	675
1219.032	03/30/2022	59	U	9		0.30	0.00	Strategy conference with KRR, BWP, and HEW re: appeal to come and opposition to settlement.	677
1219.032	03/31/2022	58	U	9	220.00	0.80	176.00	Researching and reviewing an intervenors right to review a settlement between parties to which another has intervened.	676
1219.032	04/05/2022	1	U	9	500.00	0.50	250.00	Receive email from Emilia Cargill with proposed draft letter for my signature. Commence redraft and collaboration with Hannah.	678
1219.032	04/12/2022	1	U	9	500.00	0.90	450.00	Research motion for fees. Debrief conference with Emilia, Brad, Steve and Hannah.	687
1219.032	04/15/2022	1	U	9	500.00	0.60	300.00	Revise Emilia's letter to State Engineer concerning workshop debacle.	679
1219.032	04/19/2022	58	U	9	220.00	1.00	220.00	Reviewing the judge's order granting the petition for judicial review and vacating Order 1309.	680
1219.032	04/19/2022	50	U	9	400.00	0.50	200.00	Review Judge's order granting PJR and exchange e-mails w/ team on same (.5).	682
1219.032	04/19/2022	1	U	9	500.00	0.90	450.00	Receive, read, review, and analyze Judge Yeager's findings of fact and conclusions of law and order granting petitions for judicial review.	684
1219.032	04/20/2022	58	U	9	220.00	1.00	220.00	Phone call with HEW, KRR, and team re: FFCL and next steps in the matter.	681
1219.032	04/20/2022	50	U	9	400.00	0.50	200.00	Phone call w/ team re: next steps.	683
1219.032	04/20/2022	1	U	9	500.00	3.80	1,900.00	Continue to review Judge Yeager's findings. Prepare notice of entry for our individual PJR. Prepare for conference with Steve, Bill, Emilia concerning decision and silence as to CDC SNWA and irrigation district. Research docket. Research cost issue. Collaboration with Hannah regarding effect of and notice of appeal with regarding to interveners and petitions that have been granted.	685
1219.032	04/21/2022	1	U	9	500.00	1.20	600.00	Continue research on fees. Receive and review St. Claire District Court award and Supreme Court reversal. Continue researching NRCP 54(d)(2). Start draft of motion for fees.	686
1219.032	04/22/2022	50	U	9	400.00	0.30	120.00	Meet w/ KRR to go over arguments and authority for motion for fees.	688
1219.032	04/22/2022	1	U	9	500.00	1.90	950.00	Exchange emails regarding motion for attorney's fees. Receive and review Taggert's motion for attorney's fees in O'Brien. Research Brunzell factors as applicable to Carl and Emilia. Start motion for attorney's fees.	689
1219.032	04/28/2022	50	P	9	400.00	4.20	1,680.00	Continue drafting motion for fees.	690
1219.032	04/29/2022	50	P	9	400.00	1.90	760.00	Finish drafting motion for fees and send to KRR for review.	691
<b>Total for Client ID 1219.032</b>					Billable	1,053.75	369,529.50	Wingfield Nevada Group Holding Company, LLC CSI (v. State Engineer - PJR#3)	

**Client ID 1219.034 Wingfield Nevada Group Holding Company, LLC**

1219.034	07/21/2020	52	A	9	140.00	0.20	28.00	Prepare attorney notebook with petition for judicial review and exhibits.	ARCH
1219.034	07/23/2020	52	A	9	140.00	0.40	56.00	Update attorney notebook with Motion to Change Venue & Consolidate.	ARCH
1219.034	07/28/2020	1	A	9	500.00	3.10	1,550.00	Finish motion to intervene in Lincoln County case. Start additional work on opposition to MSE's motion to change venue. Telephone conference	ARCH



<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>H P</u>	<u>Tcode/ Task Code</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>	<u>Ref #</u>
<b>Client ID 1219.034 Wingfield Nevada Group Holding Company, LLC</b>								
							with Lincoln County/Vidler representatives. Receive and review SNWA's motion to intervene in Lincoln County case.	
1219.034	07/29/2020	50	A	9	220.00	0.50	110.00	ARCH
1219.034	07/30/2020	50	A	9	220.00	5.00	1,100.00	ARCH
1219.034	07/31/2020	44	A	1	260.00	2.50	650.00	ARCH
1219.034	08/01/2020	44	A	1	260.00	8.00	2,080.00	ARCH
1219.034	08/04/2020	52	A	9	140.00	0.10	14.00	ARCH
1219.034	08/04/2020	1	A	9	500.00	2.10	1,050.00	ARCH
1219.034	08/05/2020	52	A	9	140.00	0.60	84.00	ARCH
1219.034	08/07/2020	1	A	9	500.00	1.10	550.00	ARCH
1219.034	08/10/2020	44	A	1	260.00	1.00	260.00	ARCH
1219.034	08/12/2020	52	A	9	140.00	0.60	84.00	ARCH
1219.034	08/12/2020	52	A	9	140.00	1.10	154.00	ARCH
1219.034	08/16/2020	44	A	1	260.00	3.00	780.00	ARCH
1219.034	08/17/2020	44	A	1	260.00	7.00	1,820.00	ARCH
1219.034	08/18/2020	44	A	1	260.00	0.40	104.00	ARCH
1219.034	08/19/2020	52	A	9	140.00	0.60	84.00	ARCH
1219.034	08/19/2020	1	A	9	500.00	0.90	450.00	ARCH
1219.034	08/25/2020	52	A	9	140.00	0.20	28.00	ARCH

**Detail Fee Transaction File List**  
 Robison, Sharp, Sullivan & Brust

<u>Client</u>	<u>Trans Date</u>	<u>Tkpr</u>	<u>H P</u>	<u>Tcode/ Task Code</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>	<u>Ref #</u>
<b>Client ID 1219.034 Wingfield Nevada Group Holding Company, LLC</b>								
1219.034	08/31/2020	44	A	1	260.00	0.50	130.00	ARCH
1219.034	09/02/2020	1	A	9	500.00	0.40	200.00	ARCH
1219.034	09/09/2020	1	A	9	500.00	0.80	400.00	ARCH
1219.034	09/16/2020	44	A	1	260.00	0.50	130.00	ARCH
1219.034	04/15/2021	44	A	9	260.00	0.40	104.00	ARCH
<b>Total for Client ID 1219.034</b>					Billable	41.00	12,000.00	Wingfield Nevada Group Holding Company, LLC Lincoln County Water District/Vidler Water Co. v.
<b>GRAND TOTALS</b>								
					Billable	1,094.75	381,529.50	

# Exhibit 6

ORIGINAL

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RONALD A. LONGTIN, JR.

BY *[Signature]*  
DEPUTY

CV01-05764 DC-9500025508-012  
PYRAMID LAKE PAIUTE TRIBE 32 Pages  
District Court 05/03/2002 04 10 PM  
Washoe County 1170

1 1170  
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7 Nevada State Engineer

8 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
9 **IN AND FOR THE COUNTY OF WASHOE**

Attorney General's Office  
100 N. Carson Street  
Carson City, Nevada 89701-4717

11 In the Matter of Applications 66555, 66556 )  
12 and 66567 Filed To Change the Manner and )  
13 Place Of Use of Water Previously )  
14 Appropriated from an Underground Source )  
15 Within the Dodge Flat Hydrographic Basin )  
16 (082), Washoe County, Nevada. )

Case No. CV-01-05764

Department No. 3

15 PYRAMID LAKE PAIUTE TRIBE OF  
16 INDIANS,

16 Petitioner,

17 v.

18 HUGH RICCI, STATE ENGINEER, )  
19 STATE OF NEVADA, DEPARTMENT OF )  
20 CONSERVATION AND NATURAL )  
21 RESOURCES, DIVISION OF WATER )  
22 RESOURCES,

21 Respondent.

23 **RESPONDENT NEVADA STATE ENGINEER'S ANSWERING BRIEF**

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Attorney General’s Office  
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Carson City, Nevada 89701-4717

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6 *Town of Eureka v. State Engineer*, 108 Nev. 163, 826 P.2d 948 (1992) ..... 6

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1 I. ISSUES PRESENTED FOR REVIEW

2 1. Whether there is substantial evidence in the record supporting the State Engineer's  
3 conclusion that 1,428 acre-feet of water annually is available for permanent use from the perennial yield  
4 at the Dodge Flat Groundwater Basin under Applications 66555, 66556, and 66557.

5 2. Whether there is substantial evidence in the record supporting the State Engineer's  
6 conclusion that Applications 66555, 66556, and 66557 will not conflict with existing rights.

7 3. Whether there is substantial evidence in the record supporting the State Engineer's  
8 conclusion that Applications 66555, 66556, and 66557 do not threaten to prove detrimental to the  
9 public interest.

10 II. STATEMENT OF THE CASE

11 A. Nature of the Case.

12 This case is an appeal of State Engineer's Ruling No. 5079 (Ruling 5079) in which the State  
13 Engineer granted in part three applications to change the place and manner of use of three existing  
14 groundwater rights within the Dodge Flat Groundwater Basin.

15 B. Course of Proceedings.

16 On July 13, 2000, Nevada Land and Resource Co., LLC (Nevada Land), filed Applications  
17 66555, 66556, and 66557 to change the manner and place of use of water previously appropriated under  
18 Permit Nos. 46908, 57310, and 52763. Those applications were timely protested by Washoe County,  
19 the Pyramid Lake Paiute Tribe (PLPT), the Town of Fernley, and Northern Nevada Placer Resources,  
20 Inc. A public administrative hearing was held to consider Applications 66555, 66556, and 66557 (the  
21 Applications) on June 19-21, 2001, in Carson City, Nevada. Record on Appeal (ROA) at 1985; Tabs  
22 91, 92, and 93. The State Engineer entered Ruling 5079 on September 27, 2001. ROA at 2003. PLPT  
23 served a Notice of Appeal and Petition for Judicial Review on October 25, 2001.

24 C. Disposition Below.

25 In Ruling 5079 the State Engineer held that the three Applications were seeking to change a  
26 temporary use to a permanent use and that only a portion of the requested applications would be  
27 granted.

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1     III.     STATEMENT OF FACTS

2             Applications 66555, 66556, and 66557 were filed on July 13, 2000, by Nevada Land to change  
3     the manner and place of use of water previously appropriated under Permit Nos. 46908, 57310, and  
4     52763, respectively. ROA at 1982-84; Tabs 2, 3, and 4. Permit Nos. 46908, 57310, and 52763 were all  
5     issued in the Dodge Flat Groundwater Basin (Basin) for mining, milling, and domestic purposes for a  
6     total annual consumptive use of 943.6 million gallons per year (2,896 acre-feet annually). *Id.* Nevada  
7     Land sought to change the manner of use to industrial power generation purposes and the place of use to  
8     a new location within the Basin. ROA at 1982-85; Tabs 2, 3, and 4.

9             Washoe County protested the Applications on the grounds that: the Applications constituted a  
10    change of a temporary use to a permanent use, the proposed use would adversely impact Washoe  
11    County's water systems at Stampmill Estates and Wadsworth, the Applications would interfere with  
12    efforts to obtain water or water rights for instream/water quality on the lower Truckee River, and  
13    decreased flows in the Truckee River might result in an Endangered Species Act Jeopardy Opinion.  
14    ROA at 1983; Tab 6.

15            The Town of Fernley opposed the Applications on the grounds that they could have a potential  
16    adverse impact on a proposed regional water system source of supply for the Fernley/Wadsworth area.  
17    ROA at 1984.

18            Northern Nevada Placer Resources, Inc., protested only Application 66557 on the grounds that  
19    the proposed change threatened the future success of the Olinghouse Mining District. ROA at 1984-85.

20            PLPT set forth eleven different grounds of protest to the Applications. These were: (1) the  
21    Applications would take water from the Truckee River and conflict with water rights of PLPT under  
22    Claim Nos. 1 and 2 of the *Orr Ditch* Decree and other water rights of PLPT, (2) the Applications  
23    request a change from a temporary to a permanent use, (3) the water rights being sought to be changed  
24    have not been put to a beneficial use, showing a lack of diligence, (4) the Applications will intercept  
25    regional groundwater recharge and reduce Truckee River flows, (5) Truckee River water quality will be  
26    diminished, (6) regional groundwater levels will be adversely impacted, (7) groundwater quality will be  
27    diminished, (8) the proposed changes would interfere with the conservation or recovery of the  
28    endangered cui-ui and the threatened Lahontan cutthroat trout, (9) the proposed changes would

1 adversely affect the recreational value of Pyramid Lake, (10) the Applications would interfere with the  
2 purposes for which the Pyramid Lake Indian Reservation was established, and (11) the Applications  
3 would adversely affect the interests of PLPT.

4 In Ruling 5079 the State Engineer addressed each of the protests raised and made a number of  
5 findings relevant to the issues raised by the Applications. The State Engineer first held that the  
6 groundwater resources have been managed on a perennial yield basis of the entire hydrographic basin  
7 and that the amount available for appropriation would be limited to the perennial yield. ROA at 1987-  
8 88. The State Engineer likewise held that the surface waters of the Truckee River and the groundwater  
9 of the Basin have been separately quantified and allocated in the past and that no portion of the  
10 underground water of the Basin would now be considered as surface water rights. ROA at 1987-89.  
11 The State Engineer then concluded that the perennial yield of the Dodge Flat Basin is approximately  
12 2,100 acre-feet and that under state law 672 acre-feet of that was currently committed to permanent use.  
13 ROA at 1986-89. As part of this analysis, the State Engineer rejected Nevada Land's argument that the  
14 proposed use of the water rights constitutes a temporary use and held that "the use of water for 35 years  
15 by a power-generating facility is not a temporary use of water." ROA at 1992. The State Engineer, as a  
16 result, also limited the quantity of water that can be used by approximately one-half of that requested in  
17 the Applications so that the use does not exceed the perennial yield of the Basin. ROA at 1992. The  
18 State Engineer then concluded that 1,428 acre-feet annually is available from the Basin for permanent  
19 use by Nevada Land, which was calculated by subtracting the current legal permanent use of  
20 groundwater from the Basin from the total perennial yield. ROA at 1989, 1993, 2002.

21 The protests of Washoe County, the Town of Fernley and Northern Nevada Placer Resources,  
22 Inc., were rejected by the State Engineer and have not been appealed by those entities. ROA at 1993-  
23 94. The protest of PLPT was likewise addressed, and in response thereto, the State Engineer reduced  
24 the quantity requested to be changed in recognition that there was insufficient water in the Basin to  
25 allow the full quantity of the mining rights to be converted to a permanent water right since such use  
26 would interfere with existing rights and threaten to prove detrimental to the public interest. ROA at  
27 1993-99.

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1 In addressing PLPT's various protest claims the State Engineer made among many others the  
2 following significant findings of fact or law. First, he found that the applications would not withdraw  
3 water from the Truckee River and conflict with PLPT's water rights that had been granted under Claim  
4 Nos. 1 and 2 of the *Orr Ditch* Decree, ROA at 1994, and that subsurface groundwater flows under the  
5 Truckee River are not part of PLPT's decreed surface water rights but are part of the waters belonging  
6 to the perennial yield of the Basin. ROA at 1994-95. Second, the State Engineer likewise found that  
7 the water proposed for appropriation by Nevada Land is not part of the unappropriated water of the  
8 Truckee River granted to PLPT in State Engineer's Ruling No. 4683 (Ruling 4683). ROA at 1996.  
9 Third, the State Engineer also specifically found that "the State of Nevada does not subscribe to the  
10 federal implied reserved right to ground water theory; therefore, use of ground water on the reservation  
11 is without benefit of a permit." ROA at 1996. Fourth, the State Engineer found that there was no  
12 evidence that the proposed appropriations would affect either surface or groundwater quality. ROA at  
13 1996-97. Fifth, the State Engineer specifically noted that there was not substantial evidence to support  
14 the claim of a potential Endangered Species Act jeopardy opinion or interference with the recovery of  
15 the endangered or threatened fish in Pyramid Lake, interference with the recreational value of Pyramid  
16 Lake, or interference with the purpose for which the Pyramid Lake Indian Reservation was established.  
17 ROA at 1998. Sixth, the State Engineer found that the water rights were in good standing as the  
18 necessary extensions of time had been appropriately filed. ROA at 1999.

19 Based on these various findings the State Engineer concluded that the amount available for use  
20 by Nevada Land was 1,428 acre-feet annually, that the proposed use as limited will not conflict with the  
21 existing rights of PLPT or Washoe County, and that the proposed uses will not be detrimental to the  
22 water quality of the groundwater basin or the Truckee River or risk injury to the endangered cui-ui or  
23 threatened Lahontan cutthroat trout. ROA at 2002.

24 IV. STANDARD OF REVIEW

25 The State Engineer is appointed by and is responsible to the Director of the Nevada Department  
26 of Conservation and Natural Resources and performs duties prescribed by law and by the Director of the

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1 Department. NRS 532.020, 532.110. Those duties include administering the appropriation and  
2 management of Nevada's public water, both surface and groundwater, under NRS chapters 533 and  
3 534.

4 Pursuant to NRS 533.450(9), "[t]he decision of the State Engineer shall be prima facie correct,  
5 and the burden of proof shall be upon the party attacking the same." The function of this Court, as well  
6 as the District Court, is to review the evidence on which the State Engineer based his decision to  
7 ascertain whether the evidence supports the decision, and if so, the Court is bound to sustain the State  
8 Engineer's decision. *State Engineer v. Curtis Park*, 101 Nev. 30, 32, 692 P.2d 495, 497 (1985). Stated  
9 somewhat differently, "[a] district court is not free to substitute its judgment for that of the  
10 Engineer . . . ." *Id.*

11 Review of a decision of the State Engineer is in the nature of an appeal and is, consequently,  
12 limited in nature. NRS 533.450(1) states in pertinent part:

13 Any person feeling himself aggrieved by any order or decision of the  
14 state engineer, acting in person or through his assistants or the water  
15 commissioner, affecting his interests, when such order or decision relates  
16 to the administration of determined rights or is made pursuant to NRS  
17 533.270 to 533.445, inclusive, may have the same reviewed by a  
18 proceeding for that purpose, insofar as may be in the nature of an  
19 appeal . . . .

20 This Court has interpreted these provisions to mean that a petitioner does not have a right to *de*  
21 *novo* review or to offer additional evidence at the district court.

22 Contrary to appellants' suggestion, a party aggrieved by a decision of the  
23 State Engineer in an appropriation hearing is not entitled to a *de novo*  
24 hearing in the district court. The relevant statutes specifically provide that  
25 any such review shall be "in the nature of an appeal" and that the  
26 proceedings in the district court shall be "informal and summary." NRS  
27 533.450(1) and (2). Moreover, while the legislature originally provided  
28 for such a *de novo* review, 1913 Nev. Stats., ch. 140, § 75, that provision  
was explicitly repealed during the next legislative session, 1915 Nev.  
Stats., ch. 243, § 75.

29 *Revert v. Ray*, 95 Nev. 782, 786, 603 P.2d 262, 264 (1979). *See also Kent v. Smith*, 62 Nev. 30, 32, 140  
30 P.2d 357, 358 (1943) (a court may construe a prior judgment, but cannot properly consider extrinsic  
31 evidence); *State Engineer v. Curtis Park*, 101 Nev. at 32, 692 P.2d at 497 (function of court is to review  
32 evidence relied upon and ascertain whether evidence supports order); *State Engineer v. Morris*, 107  
33 Nev. 699, 701, 819 P.2d 203, 205 (1991) (court should not substitute its judgment for that of the State

1 Engineer); *Town of Eureka v. State Engineer*, 108 Nev. 163, 165, 826 P.2d 948, 949 (1992) (reviewing  
2 court must limit itself to question of whether there is substantial evidence in the record); *United States*  
3 *v. Alpine Land & Reservoir Co.*, 919 F. Supp. 1470, 1474 (D. Nev. 1996) (court should sustain ruling if  
4 substantial evidence supports State Engineer's decision).

5 The Supreme Court has explained its function in reviewing a decision of the State Engineer by  
6 stating that "neither the district court nor this court will substitute its judgment for that of the State  
7 Engineer: we will not pass upon the credibility of the witnesses nor reweigh the evidence, but limit  
8 ourselves to a determination of whether substantial evidence in the record supports the State Engineer's  
9 decision." *State Engineer v. Morris*, 107 Nev. at 701, 819 P.2d at 205. This Court has likewise defined  
10 substantial evidence as that which a "reasonable mind might accept as adequate to support a  
11 conclusion." *State Employment Security Dept. v. Hilton Hotels Corp.*, 102 Nev. 606, 608, 729 P.2d  
12 497, 498 (1986).

13 While this Court is free to decide purely legal issues or questions without deference to an agency  
14 determination, the agency's conclusions of law, which will necessarily be closely related to the agency's  
15 view of the facts, are entitled to deference and will not be disturbed if they are supported by substantial  
16 evidence. *Jones v. Rosner*, 102 Nev. 215, 217, 719 P.2d 805, 806 (1986); *Town of Eureka v. State*  
17 *Engineer*, 108 Nev. 163, 826 P.2d 948 (1992). Likewise, while not controlling, an agency's view of or  
18 its own interpretation of its statutory authority is persuasive. *State Engineer v. Morris*, 107 Nev. at 701,  
19 819 P.2d at 205 (quoting *State v. State Engineer*, 104 Nev. 709, 713, 766 P.2d 263, 266 (1988)).  
20 Additionally, any review of the State Engineer's interpretation of his legal authority must be made with  
21 the thought that "[a]n agency charged with the duty of administering an act is impliedly clothed with  
22 power to construe it as a necessary precedent to administrative action." *Pyramid Lake Paiute Tribe of*  
23 *Indians v. Washoe County*, 112 Nev. 743, 747, 918 P.2d 697, 700 (1996), citing *State v. State Engineer*,  
24 104 Nev. at 713, 766 P.2d at 266 (1988). See also *Chevron U.S.A., Inc. v. N.R.D.C.*, 467 U.S. 837  
25 (1984) (deference promotes uniformity in the law because it makes various courts less likely to adopt  
26 differing readings of a statute. Instead, the view taken by a single centralized agency will usually  
27 control.).

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1 It should be remembered that it is the trier of fact who determines the weight to be given the  
2 evidence. *United States v. Vaccaro*, 816 F.2d 443 (9th Cir. 1987), *rev'd on other grounds*, *Huddleston*  
3 *v. United States*, 485 U.S. 681 (1988). The weight of the evidence is its weight in probative value, not  
4 the quantity or amount of evidence. It is not determined by mathematics but depends on its effect in  
5 inducing belief. The probative force of evidence is to be estimated, not only by its intrinsic weight, but  
6 also in view of the evidence which it is in the power of one side to produce and the other to contradict.  
7 *Travelers' Ins. Co. v. Pomerantz*, 246 N.Y. 63, 158 N.E. 21 (1927). When weighing the evidence, the  
8 trier of fact is not required to accept entirely either party's account of the facts. The trier of fact may  
9 reject that which it finds implausible, but accept other parts which it finds to be believable, and is free to  
10 choose among reasonable constructions of the evidence. *See United States v. Rothrock*, 806 F.2d 318  
11 (1st Cir. 1986); *United States v. Pruneda-Gonzalez*, 953 F.2d 190 (5th Cir. 1992), *cert. denied*, 504 U.S.  
12 978 (1992).

13 V. ARGUMENT

14 NRS 533.370(3) sets forth the standards under which the State Engineer is required to consider  
15 change applications such as those presented in this appeal. That section states in relevant part:  
16 "[W]here there is no unappropriated water in the proposed source of supply, or where its proposed use  
17 or change conflicts with existing rights . . . or threatens to prove detrimental to the public interest, the  
18 state engineer shall reject the application and refuse to issue the requested permit." NRS 533.370(3). In  
19 Ruling 5079 the State Engineer addressed each of these questions in conjunction with Nevada Land's  
20 Applications and concluded that in light of these standards the Applications could be granted in part.  
21 There is substantial evidence in the record to support each of the State Engineer's findings. This Court  
22 must therefore affirm Ruling 5079.

23 A. The State Engineer Correctly Concluded That There Is Unappropriated Water in the  
24 Basin.

25 The first question before the State Engineer in considering the Applications was whether there  
26 was "unappropriated water in the proposed source of supply . . ." NRS 533.370(3). Ruling 5079  
27 specifically finds that there was 1,428 acre-feet annually available in the Basin for use by Nevada Land  
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1 and that the Applications seek to change permitted groundwater rights in good standing. ROA at 1989,  
2 1990, 1993, and 2002. There is substantial evidence in the record to support this conclusion.

3 1. There Is Substantial Evidence in the Record to Support the State Engineer's  
4 Findings in Regard to the Perennial Yield of the Basin And the Amount of Other  
5 Permanent Permitted Rights in the Basin.

6 The State Engineer specifically found that the perennial yield of the Basin was 2,100 acre-feet.  
7 ROA at 1989 and 2002. This finding was supported by a report from the United States Geological  
8 Survey admitted into evidence by the State Engineer, Ground-Water Quality in Nevada – A Proposed  
9 Monitoring Program, ROA Tab 24 at 112-13, ROA Tab 77 at 986, as well as other reports admitted into  
10 evidence, including the State of Nevada Planning Report, ROA Tab 88, the Hydrogeologic Evaluation  
11 and Groundwater Model of the Wadsworth-Dodge Flat Area Washoe County, Nevada, ROA Tab 64 at  
12 569, and Water Resources – Reconnaissance Series, Report 57, ROA Tab 25 at 115. Several witnesses  
13 for the protestants also testified that the perennial yield of the Basin is approximately 2,100 acre-feet  
14 annually, including Michael Widmer of the Washoe County Department of Water Resources, ROA, Tab  
15 91 at 1355, 1362-64, 1380-93, and George Ball, consulting water engineer for the Town of Fernley.  
16 ROA Tab 91 at 1400, 1411. In fact, PLPT does not dispute this fundamental finding or the finding that  
17 700 acre-feet of subsurface groundwater flow comes into the Basin. Petitioner's Opening Brief at 3.  
18 Likewise, there is no evidence contradicting the State Engineer's finding that only 672 acre-feet of  
19 water from the Basin have been committed to permanent use by permit under state law, ROA Tabs 12  
20 and 13, and PLPT has not asserted that other permitted groundwater rights exist in the Basin. As a  
21 consequence, there can be little argument that there is substantial evidence supporting the State  
22 Engineer's conclusion that the perennial yield of the Basin is 2,100 acre-feet annually and that there are  
23 existing permitted permanent groundwater rights valid pursuant to state law in the Basin of 672 acre-  
24 feet, leaving a total of 1,428 acre-feet annually for appropriation in the Basin.

25 At hearing, PLPT asserted that the State Engineer should not consider the recharge of the entire  
26 Basin in determining the amount of water available for appropriation, but should, rather, only consider  
27 recharge to the sub-basin. ROA at 1987; ROA Tab 92 at 1516-20. This argument was properly rejected  
28 by the State Engineer.

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1 First, it is undisputed that Nevada's groundwater resources have long been managed on  
2 perennial yield basis for the entire hydrographic basin. Such a system is specifically contemplated by  
3 the Nevada Groundwater Code, which provides for the State Engineer to take various acts on a basin-  
4 wide basis. See NRS 534.030 (method for designation of groundwater basins), 534.035 (establishment  
5 of groundwater boards for individual basins), 534.050 (permit required before well may be drilled in a  
6 designated groundwater basin), 534.120 (State Engineer may make regulations for the welfare of a  
7 designated basin). It is, in fact, under this authority that the State Engineer has identified the 232  
8 Administrative Ground Water Basins in Nevada. It is patently reasonable for the State Engineer to  
9 manage these basins in a manner consistent with his statutory authority. This approach is also  
10 reasonable for the reason that managing a basin on the basis of its perennial yield ensures that the basin  
11 will remain in balance. In those instances where more water may be pumped from one sub-basin within  
12 a groundwater basin, less will be allowed to be taken from other sub-basins, thereby resulting in an  
13 overall long-term balance in the groundwater basin.

14 Second, many of the relevant studies that were admitted into evidence and much of the expert  
15 testimony in this proceeding analyzed the perennial yield for the entire Basin. See Ground-Water  
16 Quality in Nevada – A Proposed Monitoring Program, ROA Tab 24 at 113, Tab 77 at 986; State of  
17 Nevada Planning Report, Ex. 88; Water Resources – Reconnaissance Series, Report 57, Tab 25 at 115-  
18 16; ROA Tab 91 at 1355, 1362-64, 1380-93; ROA Tab 91 at 1400, 1411. These reports and testimony  
19 clearly constitute substantial evidence supporting the State Engineer's conclusion that the Applications  
20 should be addressed on a basin-wide analysis. In this regard it is important to remember that the  
21 question on review is not whether there is a conflict in the evidence, but whether there is substantial  
22 evidence in the record to support the State Engineer's decision. *State Engineer v. Morris*, 107 Nev.  
23 699, 701, 819 P.2d 203, 205 (1991). With this in mind, it is clear that the reports and testimony relied  
24 upon by the State Engineer are sufficient support for his conclusion that the question of perennial yield  
25 will be analyzed on a basin-wide basis, even though PLPT may have offered evidence in support of an  
26 alternative approach.

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2. No Controlling Jurisdiction Has Recognized a Federal Implied Reserved Groundwater Right.

PLPT's assertion that there is no water available for appropriation in the Basin, and for that matter, that the Applications will conflict with its existing rights, is completely dependent on its argument that it is entitled to, and currently holds, an implied federal reserved water right to groundwater in the Basin.<sup>1</sup> The State Engineer found in Ruling 5079, however, that "the State of Nevada does not subscribe to the federal implied reserved right to ground water theory; therefore, use of ground water on the reservation is without the benefit of a permit." ROA at 1996. A review of the case law shows that the State Engineer was correct in concluding that no controlling jurisdiction has ever held that there is an implied federal reserved groundwater right.

The United States Supreme Court has defined the Reserved Water Rights Doctrine as follows:

This court has long held that when the Federal Government withdraws its land from the public domain and reserves it for a federal purpose, the Government, by implication, reserves appurtenant water then unappropriated to the extent needed to accomplish the purpose of the reservation. In so doing the United States acquires a reserved right in unappropriated water which vests on the date of the reservation and is superior to the rights of future appropriators. . . . The doctrine applies to Indian reservations and other federal enclaves, *encompassing water rights in navigable and nonnavigable streams.*

*Cappaert v. United States*, 426 U.S. 128, 138 (1976) (emphasis added). Although numerous courts have applied this doctrine to appurtenant surface water, no controlling jurisdiction has ever applied it to groundwater, PLPT's arguments to the contrary notwithstanding.

PLPT cites a number of cases that simply do not address the question of whether there is an implied federal reserved groundwater right. Foremost among these is *Shamberger v. United States*, 165 F. Supp. 600 (D. Nev. 1958). The question addressed in that case was this:

[C]an the State of Nevada, at the instance of its State Engineer, enjoin the Federal government from the use of the waters of its wells because of the fact that its officers, agents and representatives failed and refused to comply with the statutory *procedural* law and regulation in force covering the field of appropriation and use of water.

<sup>1</sup> Although PLPT asserts that it has an implied federal reserved groundwater right in the Basin, the fact that it asserts this right for purposes of "background" only shows that PLPT is making use of the groundwater of the Basin without any actual "right" to do so at all. In addition, PLPT has failed to identify which of the approximately 3,000 acre-feet it claims to currently pump from the Basin constitutes use under what it asserts is its implied federal reserved groundwater right. Petitioner's Opening Brief at 4.

1 *Id.* at 601 (emphasis added). In that case the court analyzed no question other than the jurisdictional  
2 authority of the State Engineer. This is made clear by the court's reliance on *McCulloch v. Maryland*, 4  
3 Wheat. 316, 4 L. Ed. 579 (1819), and other cases that stand for the proposition that Federal law is  
4 supreme in matters of federal concern, especially matters of national defense. It is a gross  
5 overstatement to say that *Shamberger* establishes the existence of a reserved groundwater right when  
6 the issue of federal reserved groundwater rights is nowhere raised in the decision.

7 Just as importantly, the *Shamberger* case is not controlling precedent since the Ninth Circuit  
8 Court of Appeals subsequently determined that the suit was barred by the sovereign immunity of the  
9 defendant. *Shamberger v. United States*, 279 F.2d 699, 700 (9th Cir. 1960). *Shamberger* was therefore  
10 dismissed without the issue of the implied federal reserved water right ever having been reached.  
11 *Shamberger* may not, as a consequence, be relied upon as precedent in the issue at hand.

12 Likewise, the cases of *Colville Confederated Tribes v. Walton*, 460 F. Supp. 1320 (E.D. Wash.  
13 1978), and *Tweedy v. Texas Co.*, 286 F. Supp. 383 (D. Mont. 1986), and *Reynolds v. Aamodt*, 618 F.  
14 Supp. 993 (D.N.M. 1985), do not recognize a federal reserved groundwater right, a fact that was  
15 expressly noted in *The General Adjudication of All Rights to Use Water In The Big Horn River*, 753  
16 P.2d 76, 99-100 (Wyo. 1988), *overruled on other grounds by Vaughn v. State*, 962 P.2d 149, 151 (Wyo.  
17 1998) (*Big Horn I*). Also, *United States v. Cappaert*, 508 F.2d 313 (9th Cir. 1974), may not be cited for  
18 the proposition that there is a federal implied reserved right to groundwater since the Supreme Court  
19 specifically held that the body of water at issue was surface water and not groundwater, thereby  
20 avoiding the question in its entirety. *Cappaert v. United States*, 426 U.S. at 143 ("The doctrine applies  
21 to Indian reservations and other federal enclaves, encompassing water rights in navigable and  
22 nonnavigable streams."). *See also Big Horn I*, 753 P.2d at 99. The case of *Gila River Pima Maricopa*  
23 *Indian Community v. United States*, 9 Cl. Ct. 660, 699 (1986), although purporting to address the issue  
24 of reserved water rights, cannot be considered to have any serious precedential value here, not only  
25 because it is not controlling as a matter of jurisdiction, but because it primarily addresses the issue of  
26 the United States' obligations under the fair and honorable dealings standard and its duty to protect  
27 tribal resources. That court makes little attempt to identify the nature of a reserved groundwater right  
28 and no attempt to set forth how such a right would be quantified. In addition, by stating that "ground

1 water under the Gila River Reservation is impliedly reserved for the Indians,” *Id.* at 700, the court  
2 significantly misinterprets the holding of *Winters v. United States*, 207 U.S. 564 (1908), and its  
3 progeny. *Gila River Pima Maricopa Indian Community* falls far short of establishing a reserved  
4 groundwater right that must be recognized by the courts of Nevada.

5 In the end, only two courts have squarely addressed the issue of a federal implied reserved  
6 groundwater right: *Big Horn I* and *In re the General Adjudication of all Rights to Use Water in the*  
7 *Gila River System and Source*, 989 P.2d 739, 747 (Ariz. 1999) (*Gila River III*). The *Big Horn I* court  
8 found that “the District court did not err in deciding there was no reserved groundwater right.” *Big*  
9 *Horn I*, 753 P.2d at 100. *Gila River III* did recognize a federal reserved groundwater right but only  
10 under limited factual circumstances that, as will be discussed below, do not exist here. Neither of these  
11 cases is controlling or binding on the State Engineer.<sup>2</sup> The State Engineer was correct when he  
12 concluded that no controlling Court has ever established an implied federal reserved groundwater right.

13 3. Not Only Is the Arizona Supreme Court’s Decision in *Gila River III* Not  
14 Controlling in Nevada, but PLPT Is Not Entitled to an Implied Federal Reserved  
15 Groundwater Right Under the Holding of That Case And the United States  
16 Supreme Court’s Holding in *Nevada v. United States*.

17 Ultimately, this Court is not required to determine whether or not there is an implied federal  
18 reserved groundwater right since PLPT is not entitled to a reserved groundwater right regardless of the  
19 authority followed. Even if it is assumed for the sake of argument that there is what may be referred to  
20 as an implied federal reserved groundwater right, such a right does not exist simultaneous with or in  
21 addition to a reserved surface water right. No court has held that a federal reservation can be said to  
22 have a separate and independently quantifiable reserved right in both a surface source and a

23 <sup>2</sup> PLPT cites the case of *Confederated Salish and Kootenai Tribes v. Clinch*, 992 P.2d 244 (Mont. 1999), for the  
24 proposition that no appropriations may be approved from the Basin until PLPT’s alleged reserved groundwater rights have  
25 been quantified. Petitioner’s Opening Brief at 15 n.14. The *Clinch* decision is clearly not controlling, however, since it is  
26 based exclusively on the interpretation of MONT. CODE ANN. § 85-2-311(1)(e), which has no analogy in the Nevada water  
27 statutes. In addition, as will be discussed in detail below, PLPT does not have a reserved groundwater right here. The  
28 *Clinch* court based its decision at least in part on its finding that it was “undisputed that the Tribes possess reserved water  
rights which the Tribes were then attempting to quantify.” *Id.* at 452. The fact that PLPT asserts that no groundwater may  
be appropriated in the Basin until its rights are quantified and that no action may be taken by this Court to quantify its rights,  
Petitioner’s Opening Brief at 11 n.10, while it nonetheless makes use of groundwater substantially in excess of the perennial  
yield without proceeding on its own accord to quantify its alleged reserved groundwater rights shows the inherent inequity of  
its position. *Clinch* simply does not provide authority for PLPT to hold the Basin hostage.

1 groundwater source. The *Gila River III* decision can at best be read to hold that a reservation has a  
2 single reserved water right and that when sufficient water is available from a surface source to  
3 accomplish the purposes of the reservation, no additional right exists in groundwater.<sup>3</sup> Since the  
4 Pyramid Lake Indian Reservation's reserved water right has been fully provided for from Truckee River  
5 surface water rights as adjudicated in the *Orr Ditch Decree*, PLPT cannot be said to have any rights,  
6 contingent or otherwise, in the groundwater of the Basin. The State Engineer was therefore correct in  
7 refusing to recognize and account for PLPT's use of groundwater in the Basin since that use is without  
8 right under federal or state law.

9 As was noted above, the implied federal reserved water rights doctrine provides that water is  
10 impliedly reserved for federal reservations "to the extent needed to accomplish the purpose of the  
11 reservation." *Cappaert v. United States*, 426 U.S. 128, 138 (1976). As a result, even if it is assumed  
12 that there exists an implied reserved groundwater right, it is limited to such amounts as are "needed to  
13 accomplish the purpose of the reservation," and no more.

14 As was also noted above, only one court, the Supreme Court of Arizona, has expressly  
15 recognized a federally reserved groundwater right.<sup>4</sup> The court did not, however, find that the reserved  
16 groundwater right existed in addition to a federal reserved surface water right. Rather, the Arizona  
17 Supreme Court held that the reserved water right exists only where other sources of water are  
18 unavailable or insufficient to fulfill the purposes of the reservation.

19 In summary, the cases we have cited lead us to conclude that if the United  
20 States implicitly intended, when it established reservations, to reserve  
21 sufficient unappropriated water to meet the reservations' needs, it must  
22 have intended that reservation of water to come from whatever particular  
23 sources each reservation had at hand. The significant question for the  
24 purpose of the reserved rights doctrine is not whether the water runs above  
25 or below the ground but whether it is necessary to accomplish the purpose  
26 of the reservation.

25 <sup>3</sup> The *Gila River III* decision must also be differentiated from the case at hand because that decision was based at  
26 least in part on Arizona law which varies from Nevada law in such important respects as its willingness to allow  
27 appropriation of water in excess of the perennial yield, thereby resulting in "mining" of groundwater, and its rule that  
28 groundwater is a correlative right, i.e. a landowner has certain rights to the groundwater found underneath his or her  
property.

<sup>4</sup> Although the State Engineer argues here that PLPT is not entitled to an implied federal reserved groundwater  
right under the facts of this case and the holding of *Gila River III*, the State Engineer does not admit, and expressly denies,  
that *Gila River III* is controlling in any way, regardless of the factual circumstances presented.

1 *Gila River III*, 989 P.2d 739, 747 (Ariz. 1999). The *Gila River III* court then specifically noted: “We  
2 do not, however, decide that any particular federal reservation, indian or otherwise, has a reserved right  
3 to groundwater. A reserved right to groundwater may only be found *where other waters are inadequate*  
4 *to accomplish the purpose of a reservation.*” *Id.* at 748 (emphasis added).

5 PLPT cannot assert here that it is entitled to a reserved groundwater right since it cannot show,  
6 *as a matter of law*, that the other waters in which it does have reserved rights, i.e. the Truckee River, are  
7 inadequate to accomplish the purposes of its reservation since the United States Supreme Court  
8 expressly held in *Nevada v. United States*, 463 U.S. 110 (1983), that PLPT’s entire reserved water right  
9 was presented and addressed in the *Orr Ditch* Decree. No further adjudications are needed, under the  
10 McCarran Amendment or otherwise, for the State Engineer and this Court to conclude that PLPT has no  
11 reserved right to the groundwater of the Basin.

12 In *Nevada v. United States*, the Supreme Court was presented with the question of whether the  
13 United States could partially undo the *Orr Ditch* Decree which was entered after it had sued to  
14 adjudicate water rights to the Truckee River for the benefit of the Pyramid Lake Indian Reservation as  
15 well as others. *Id.* at 113. In March of 1913 the United States filed a complaint in the United States  
16 District Court for the District of Nevada, which became known as the *Orr Ditch* litigation, seeking to  
17 adjudicate water rights in the Truckee River. As part of that case, the United States asserted a reserved  
18 right on behalf of PLPT. *Id.* at 116. The case proceeded slowly until a settlement was reached in 1935  
19 which allocated to PLPT sufficient water to irrigate approximately 5,875 acres of reservation land.<sup>5</sup> *Id.*  
20 at 117-18. In the *Nevada v. United States* complaint, the United States did not purport to challenge the  
21 rights established and set forth in the *Orr Ditch* Decree, but alleged that the Decree had only addressed  
22 waters for irrigation and not for the maintenance and preservation of Pyramid Lake and the lower  
23 reaches of the Truckee River. *Id.* at 119. The District Court rejected the United States’ claim on behalf  
24 of PLPT on principles of *res judicata*, holding that the United States and PLPT could not litigate  
25 various reserved rights in a piecemeal fashion. *Id.* at 120. The Ninth Circuit affirmed in part and  
26

27 <sup>5</sup> The issue presently before the State Engineer is whether PLPT has an implied federal reserved right to  
28 groundwater. In an unrelated matter currently pending before the State Engineer certain protestants have asserted that  
PLPT’s *Orr Ditch* Decree Claim No. 2 water is not a federal reserved water right. The State Engineer has made no findings  
or decisions in regard to that issue and does not assert in this brief that the Claim No. 2 water is or is not a reserved right, but  
reserves that issue for decision in the appropriate proceeding.

1 reversed in part, holding that the suit could proceed because there were new parties, the Newlands  
2 Project water users, who had not been a party in the previous action. *Id.* at 120-21. The Supreme Court  
3 reversed and held that the *Orr Ditch* Decree was a final judgment and that the United States and PLPT  
4 were barred from relitigating the issue of the amount of water to which PLPT was entitled under the  
5 federal reserved water rights doctrine. *Id.* at 130-33. The Court stated:

6           We find it unnecessary in these cases to parse any minute differences  
7           which these differing tests might produce, because whatever standard may  
8           be applied the only conclusion allowed by the record in the *Orr Ditch* case  
9           is that the Government was given an opportunity to litigate the  
          Reservation's entire water rights to the Truckee, and that the Government  
          intended to take advantage of that opportunity.

10 *Id.* at 131. The Court then held, given the United States' express intent to reserve the water necessary to  
11 accomplish the purposes of the Pyramid Lake Indian Reservation, that "[t]his cannot be construed as  
12 anything less than a claim for the full 'implied-reservation-of-water' rights that were due the Pyramid  
13 Lake Indian Reservation." *Id.* at 133 (emphasis added).

14           The holding of *Nevada v. United States* read in conjunction with *Gila River III* leads to only one  
15 reasonable conclusion: PLPT has no reserved right to the groundwater of the Basin. *Nevada v. United*  
16 *States* made it abundantly clear that PLPT's entire reserved right was adjudicated as part of the *Orr*  
17 *Ditch* Decree. *Gila River III* is as equally clear that the reserved groundwater right exists only in those  
18 instances where other waters are inadequate to accomplish the purpose of the reservation. As a result,  
19 there is simply no legitimate argument here that PLPT has a reserved water right in the groundwater of  
20 the Basin, be it quantified or not. The State Engineer was therefore correct in refusing to consider  
21 PLPT's use of water in the Basin to be a "right" entitled to recognition.

22           Substantial evidence supports the State Engineer's conclusion that there is 1,428 acre-feet  
23 available annually for use under the Applications. PLPT's use of water within the Basin is without right  
24 and, therefore, need not be considered by the State Engineer as part of the existing rights within the  
25 Basin.

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1 B. There Is Substantial Evidence in the Record Supporting the State Engineer's Conclusion  
2 That Applications 66555, 66556, and 66557 Will Not Conflict With Existing Rights.

3 Consistent with the requirements of NRS 533.370(3), the State Engineer concluded that the  
4 changes proposed by Applications 66555, 66556, and 66557 as permitted in the reduced quantity will  
5 not interfere with existing rights. This conclusion is supported by substantial evidence and must  
6 therefore be affirmed by this Court.

7 1. Evidence Shows That the Proposed Pumping Will Not Interfere With PLPT's  
8 Surface Water Rights.

9 In Ruling 5079 the State Engineer specifically noted that:

10 The PLPT claimed that the applications would withdraw water from the  
11 Truckee River and conflict with the water rights of the Tribe under Claims  
12 No. 1 and 2 of the Orr Ditch Decree and other water rights of the Tribe.  
13 The PLPT's own witness admitted, however, that the Tribe's water rights  
14 under Claims No. 1 and 2 would not be affected if the change applications  
15 were approved.

16 ROA at 1994. There is substantial evidence supporting this conclusion both as to the Claim Nos. 1 and  
17 2 water and PLPT's later acquired Truckee River right.

18 Ali Shahroody, expert witness for PLPT, testified that:

19 Q: The question is if the Duke changes were approved and they were  
20 to use 2900 acre feet of water, do you have an opinion as to whether or not  
21 that would cause the Tribe's Orr Ditch Decreed rights to not be satisfied in  
22 any given year?

23 A: To the extent that there are depletions to the river which would  
24 have met the Tribe' rights, that would not necessarily cause the Tribe's  
25 right not to be satisfied.

26 The Tribe's right would be satisfied because its rights are paramount to the  
27 river, but it would be at the expense of other parties, just strictly talking  
28 about under the Orr Ditch Decree, other parties upstream, meaning that  
other Orr Ditch rights holders would be affected by this approach of this  
application for pumping by Duke.

But to Answer your question straight, the Tribe's Claims 1 and 2 would not  
be affected.

ROA Tab 92 at 1649, l. 17 through 1650, l. 7. As a consequence, there can be no argument that the  
Applications as granted will conflict with PLPT's Claim Nos. 1 and 2 Orr Ditch rights.

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1           There is likewise substantial evidence to support the State Engineer's conclusion that the  
2 Applications will not interfere with PLPT's other surface water right, "the unappropriated water right"  
3 granted PLPT in Ruling 4683, ROA Tab 10. It is important for the analysis here to understand the  
4 nature of the rights granted in that Ruling. Ruling 4683 described the right granted as follows:

5           The Protestant's argument seems to ignore the facts of the reality of the  
6 flows being applied for under Applications 48061 and 48494. The PLPT  
7 under these applications is requesting in essence an instream/in situ right  
8 to the high flows in excess of decreed or existing water rights on the  
9 system in order to sustain the threatened and endangered fishery at  
10 Pyramid Lake. In many years these flows will not exist at all and in other  
11 very rare years there may be more than a million acre-feet of excess flow.  
12 It is convenient to work with the average flows as long as it is clear that  
13 the entire quantity of unappropriated water is not available in most years.

14           Pyramid Lake on the Pyramid Lake Reservation is a terminal lake at the  
15 end of the Truckee River System. It is downstream from all other water  
16 rights and water uses. There is uncontroverted evidence in the record that  
17 the amount of Truckee River water that reaches Pyramid Lake exceeds the  
18 amount of water recognized in the Orr Ditch Decree. The State Engineer  
19 finds there is unappropriated water in the Truckee River in quantities that  
20 vary significantly from year to year, but in some years is sufficient to  
21 satisfy the amount applied for under these applications.

22           ROA Tab 10 at 36-37. The rights granted PLPT in Ruling 4683, which are state law water rights and  
23 not federally reserved water rights, ROA Tab 10 at 38, are what are commonly referred to as flood  
24 rights from surface water flows. As a result, the nature of that right is contingent on existing conditions  
25 and has nothing to do with groundwater.

26           As was noted by the State Engineer, the flood water right held by PLPT<sup>6</sup> under Ruling 4683  
27 does not include, and was not intended to include, any groundwater allocated to the perennial yield of  
28 the Basin. As a consequence, no beneficial use of the groundwater of the Basin can be considered as  
conflicting with that right. To hold otherwise would be to significantly expand the flood right beyond  
amounts intended in Ruling 4683. ROA at 1995-96.

          Even if we were to assume that PLPT's Ruling 4683 flood water right could be impacted by  
groundwater use, there is substantial evidence in the record here to show that the use of groundwater as  
approved in part under Ruling 5079 will not conflict with the flood water right or any other surface right

<sup>6</sup> The actual permits have not been issued since that ruling has been stayed on appeal.

1 in the Truckee River since the perennial yield of the Basin by definition excludes water that contributes  
2 to the flow of the Truckee River.

3 Perennial yield has been defined by the Division of Water Resources as:

4 The maximum amount of ground water that can be salvaged each year  
5 over the long term without depleting the ground water reservoir. Perennial  
6 yield is ultimately limited to the maximum amount of natural discharge  
7 that can be salvaged for beneficial use. Perennial yield cannot be more  
8 than the natural recharge to a ground water Basin and in some cases less.

9 ROA Tab 88 at 13. The measurement of the perennial yield excludes amounts that discharge to the  
10 river. This fact is clearly illustrated by the following:

11 Estimated elements of inflow, in addition to that of the Truckee River,  
12 include ground-water recharge (about 1,400 acre feet per year; table 12)  
13 and ground-water inflow from other hydrographic areas (at least 2,800 acre  
14 feet per year; table 13).<sup>7</sup> Irrigated and phreatophyte areas total about 3,200  
15 acres (table 15), and probably consumes less than 5,000- acre-feet per  
16 year, which approximately balances the inflow quantities listed above.  
17 Despite this approximate balance, *the river apparently gains an average of  
18 at least 5,000 acre-feet per year within the hydrographic area (p. 37).*

19 Water Resources—Reconnaissance Series, Report 57, ROA Tab 25 at 116 (emphasis added). As this  
20 data makes apparent, the State Engineer's finding of a perennial yield of 2,100 acre-feet from the Basin  
21 excludes by definition the 5,000 acre-feet gained by the river in the same section. Consequently, the  
22 finding that the perennial yield of the Basin is 2,100 acre-feet per year, a finding for which there is  
23 substantial evidence, ROA Tab 24 at 112-13; Tab 88; Tab 64 at 569; Tab 25 at 115; Tab 91 at 1355,  
24 1362-64, 1380-93; Tab 91 at 1400, 1411, together with the finding that the Applications must be limited  
25 to the uncommitted portion of the perennial yield, constitutes substantial evidence supporting the State  
26 Engineer's ultimate conclusion that the Applications as reduced and approved will not conflict with  
27 PLPT's Truckee River surface water rights.<sup>8</sup>

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<sup>7</sup> The 2,800 acre-feet of groundwater inflow is made up of 700 acre-feet from the Tracy segment and 2,100 acre-feet from the Fernley Area. Water Resources—Reconnaissance Series, Report 57, Table 13, ROA Tab 25.

<sup>8</sup> PLPT implies that remand would be appropriate in this case since it did not offer evidence as to the impacts of the 1,428 acre-feet of groundwater approved for use in Ruling 5079. This argument is unavailing. PLPT was afforded every opportunity to offer evidence at the hearing, and the State Engineer is not alleged to have refused to admit any evidence relevant to any issue before this Court. PLPT cannot now be heard to complain that it wishes to offer different or additional evidence.

1 PLPT attempts to make much of their assertion that the State Engineer has denied that there is a  
2 hydrographic connection between the Basin and the Truckee River. This argument is largely irrelevant  
3 and both misstates the holding of Ruling 5079 by misinterpreting what is meant by "managing" the  
4 Basin and ignores the long-standing system that is in place for the allocation and management of water  
5 in Nevada.

6 Ruling 5079 states that Nevada's groundwater resources:

7 [H]ave been managed on a perennial yield basis of the entire hydrographic  
8 basin. Each ground-water basin in Nevada was defined and a perennial  
9 yield figure calculated based on a recharge/discharge relationship, which  
10 keeps the basin in balance . . . There is no logical reason to deviate from  
the management scheme now in place and accept the PLPT's proposal that  
the ground-water basin should be managed drainage by drainage.

11 ROA at 1988. This management system reflects the nature of the Nevada Water Code that establishes  
12 unique rules of law for groundwater and surface water. *See* NRS 533.010—533.545, 534.010—  
13 534.350. In fact, Ali Shahroody, PLPT's own witness, noted that Nevada manages its ground and  
14 surface water under distinct systems.

15 Q: It is my understanding that Nevada through its State Engineer as  
16 far as administering surface and groundwater has basically administered  
17 them as separate units, even though there may be some hydrological  
connection. Is that your understanding?

A: That's correct.

18 ROA Tab 92 at 1650, ll. 8-13. The assertion of PLPT that groundwater and surface water should be  
19 managed as one unified system would result in a significant change to Nevada law and would alter years  
20 of past practice for no other purpose than to expand the nature of PLPT's floodwater right beyond the  
21 limitations set by Ruling 4683.

22 The primary error in PLPT's argument, however, is that they misinterpret the term "manage" as  
23 used by the State Engineer and concludes without support that he has failed to recognize a hydrographic  
24 connection between the Truckee River and the groundwater basin. PLPT's lengthy discussion in this  
25 regard is, as a result, irrelevant to the question at hand since the State Engineer has not disagreed that  
26 there can be a hydrologic connection between surface and groundwater sources. His discussion in  
27 regard to existing rights in Ruling 5079 clearly shows this. ROA at 1994. The point raised by the State  
28 Engineer, which is not countered by PLPT, is that the Applications as approved will not conflict with

1 PLPT's Claim Nos. 1 and 2 *Orr Ditch* rights or its state law "flood waters" right since those rights when  
2 granted were not intended to include any of the groundwater of the Basin. To conclude otherwise  
3 would be to ignore the testimony of PLPT's own witness and significantly expand the right granted by  
4 the State Engineer in Ruling 4683. The State Engineer has not ignored the hydrologic connection  
5 between the river and the Basin. It has been addressed and adequately protected by limiting the  
6 Applications to the perennial yield of the Basin. There is substantial evidence supporting the State  
7 Engineer's conclusion that the Applications as approved do not conflict with any of PLPT's surface  
8 water rights. ROA Tab 24 at 112-13; Tab 88; Tab 64 at 569; Tab 25 at 115-16; Tab 91 at 1355, 1362-  
9 64, 1380-93; Tab 91 at 1400, 1411; Tab 25 at 116.

10 2. PLPT Holds No Right to Groundwater With Which the Applications Can  
11 Interfere.

12 PLPT has asserted that the proposed changes at issue here will conflict with its groundwater  
13 rights as well as its surface water rights. Petitioner's Opening Brief at 16-17, 22-23. The State  
14 Engineer was correct in concluding that the Applications as approved would not conflict with any  
15 groundwater rights held by PLPT in the Basin.

16 As was discussed above in sections V(A)(2) and (3) of this brief, PLPT has no "right" in the  
17 groundwater of the Basin under the federal implied reserved right doctrine. The Applications here  
18 cannot conflict with an "existing right" when there is no right. PLPT does have some groundwater  
19 rights in the Basin that are permitted under state law, ROA Tab 13, but those rights were accounted for  
20 as part of the 672 acre-feet of water found by the State Engineer to be committed to permanent uses in  
21 the Basin. ROA at 1989. Since the amount of water available for use under the Applications was  
22 reduced for the very purpose of protecting the permanent permitted groundwater rights in the Basin, the  
23 Applications cannot be said to conflict with these rights either. Finally, it would be disingenuous for  
24 PLPT to argue that the State Engineer erred in ruling that the Applications as approved would conflict  
25 with the groundwater rights of Washoe County when that protestant chose not to appeal the State  
26 Engineer's Ruling. There is substantial evidence supporting the State Engineer's findings that the  
27 Applications will not conflict with existing groundwater rights, and PLPT has failed to show otherwise.

28 ////

1 C. Substantial Evidence Supports the State Engineer's Finding That the Applications Do  
2 Not Threaten To Be Detrimental to the Public Interest.

3 NRS 533.370(3) requires that the State Engineer determine whether an application to change the  
4 place of use, point of diversion, or manner of use "threatens to prove detrimental to the public interest"  
5 prior to approving the Application. The standard for such a determination was set forth by the Nevada  
6 Supreme Court in *Pyramid Lake Paiute Tribe of Indians v. Washoe County*, 112 Nev. 743, 918 P.2d  
7 697 (1996). In that case PLPT and Lassen County, California, protested applications that would have  
8 changed the place and manner of use of water from the Honey Lake Groundwater Basin to Reno and  
9 Sparks for municipal uses. Specifically, PLPT protested those change applications on the grounds that  
10 each application "was not economically feasible or desirable in light of negotiations that were occurring  
11 over water rights in Lake Tahoe, Pyramid Lake, and Truckee River and the Carson River. At the time  
12 of the hearings, California, Nevada, and various Indian tribes (including the Pyramid Lake Paiute Tribe)  
13 were attempting to reach a settlement that would greatly impact water rights on the Truckee River." *Id.*  
14 at 745, 918 P.2d at 698. The case was originally remanded by the District Court with instructions to  
15 consider whether the applications threatened to prove detrimental to the public interest. The State  
16 Engineer issued two supplemental rulings that set forth the policy considerations as defined by  
17 Nevada's water statutes to define the public interest. *Id.* at 746, 918 P.2d 698-99. PLPT challenged  
18 these supplemental rulings on the basis that the analysis of public interest was insufficient. The District  
19 Court affirmed the supplemental rulings, as did the Nevada Supreme Court. *Id.* at 747, 918 P.2d 699.

20 In so doing, the Supreme Court specifically held that it was appropriate for the State Engineer to  
21 glean the public interest from the policies established by the Nevada Legislature. The Court specifically  
22 rejected the argument that it would be appropriate to judicially adopt policies from other sources. The  
23 Court noted:

24 The legislature has the power to decide what the policy of law shall be,  
25 and if it has intimated its will, however indirectly, that will should be  
26 recognized and obeyed. [Citation omitted]. The Nevada Legislature,  
27 presumably aware of the broad definition of the public interest enacted by  
28 other states (particularly Alaska and Nebraska), demonstrated through its  
silence that Nevada's water law statutes should remain as they have been  
for over forty-five years. We recognize that some people may argue that  
the prior appropriation doctrine is not well suited to solve the modern  
demands for water across our arid state. However, the legislature -- not

1 this court- must signal a departure from such a long recognized Nevada  
water policy.

2 *Id.* at 749, 918 P.2d 700. It is in light of this interpretation of the “public interest” that Ruling 5079  
3 must be analyzed.

4 PLPT has argued that Ruling 5079 threatens to prove detrimental to the public interest for four  
5 reasons: (1) the Applications will impact existing wells, (2) the Applications will impact senior surface  
6 water rights, (3) the Applications threaten to cause injury to Pyramid Lake’s protected fish, and (4) the  
7 Ruling is silent as to the various agreements that are in place for the benefit of the protected fish and  
8 Pyramid Lake. Petitioner’s Opening Brief at 24-26. The State Engineer addressed each of these issues,  
9 and found that the proposed transfers did not threaten to be detrimental to the public interest.

10 PLPT’s argument that the applications threaten to prove detrimental to the public interest  
11 because they will impact existing wells and senior surface water rights are no different factually from  
12 the argument that the Applications will conflict with PLPT’s existing rights. The State Engineer  
13 determined, however, that they will not conflict with existing rights. As has already been shown above,  
14 there is substantial evidence to support the State Engineer’s conclusion that Applications as reduced and  
15 approved will not impact existing rights or the flows of the Truckee River. *See* section V(B)(1) above.  
16 In fact, the very reason that the State Engineer reduced the amounts requested for transfer by the  
17 Applications by approximately one-half was to protect the public interest issues presented here.

18 There is likewise substantial evidence to support the State Engineer’s conclusion that the  
19 Applications as approved do not threaten to cause injury to Pyramid Lake’s protected fish. As has been  
20 noted above, the Applications as reduced and approved do not threaten to diminish the flows of the  
21 Truckee River. *See* section V(B)(1) above. PLPT’s argument, however, merely assumes that there will  
22 be reductions in flows, as does all of the testimony upon which PLPT relies. Not only is the  
23 presumption that the flows of the Truckee River will be reduced incorrect, no evidence was offered that  
24 there will be any harm to the threatened fish in any event. A review of the testimony of Mr. Chester  
25 Buchanan of USFWS shows that his testimony is in fact “not at all conclusive” as to whether any  
26 reduction in flows would be biologically significant. ROA at 1997-98.

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1 Q: So are you saying then in order – that even though the reduction of  
2 three to three and a half cfs may not be hydrologically significant, it could  
be biologically significant over time, cumulatively?

3 A: It could be, It could be. *I'm not saying it would or would not be,*  
4 but my suspicion is that it would be, and this will all be brought out when  
we do our consultation with BLM under section 7 of the Endangered  
Species Act on the Tuscarora pipeline expansion.”

5 ROA Tab 92 at 1697, ll. 13-21 (emphasis added). “Q: And based upon your familiarity with the  
6 Truckee River and with these species and with their conditions, would you consider those impacts under  
7 the assumption that you’ve made to be biologically significant? A: I’ll leave that to the consultation.”

8 ROA Tab 92 at 1700, ll. 16-20.

9 So because of this discrepancy [between two studies of the Basin] we  
10 could no longer support the conclusion that it would not have an adverse  
11 impact. We were, at the point that we were not sure because of the  
12 discrepancies of the model, so therefore, we had informed BLM that we  
wanted to consult on this and try to get the whole thing straightened out  
and try to figure out what is the biological impact.

13 ROA Tab 92 at 1701, l. 22 through 1702, l. 3. Mr. Buchanan’s testimony does not show that the  
14 Applications threaten the public interest, only that USFWS wished to review the potential impacts of  
15 the Applications more closely. This testimony supports rather than contradicts the State Engineer’s  
16 finding.

17 In addition, Mr. Buchanan’s testimony shows that the role of the State Engineer differs from that  
18 of USFWS and that it is the obligation of the USFWS, not the State Engineer, to analyze the  
19 appropriateness of the project under the Endangered Species Act. This is made clear by USFWS’s  
20 intent to consult with BLM under section 7 of the Endangered Species Act. Pursuant to the holding of  
21 *Pyramid Lake Paiute Tribe of Indians v. Washoe County*, 112 Nev. 743, 918 P.2d 697 (1996), the State  
22 Engineer does not have the duty to independently review a function that is statutorily delegated to  
23 another governmental agency. *Id.* at 749-75, 918 P.2d at 701.

24 However, to the extent that Mr. Buchanan’s testimony can be said to show a threat to the  
25 protected fish of Pyramid Lake, it is given under hypothetical facts which the State Engineer has found  
26 do not exist—a reduction in flow to the Truckee River. ROA Tab 92 at 1697 (Buchanan asked to opine  
27 on impact if flow of river is reduced by three to three and a half cfs). As has been noted now numerous  
28 times, the State Engineer has found that the Applications as reduced and approved will not reduce the



1 flows of the Truckee River, and there is substantial evidence to support that finding. *See* section  
2 V(B)(1) above. The State Engineer was correct in concluding that the Applications as approved do not  
3 threaten to be detrimental to the protected fish.

4 There is also substantial evidence to support the conclusion that the various agreements that are  
5 in place for the benefit of the protected fish and Pyramid Lake will not be violated by the Applications  
6 as approved.

7 As was noted by PLPT, the Memorandum of Understanding (MOU) provided a mechanism to  
8 allow PLPT to assert a claim for the unappropriated water of the Truckee River. The MOU was  
9 fulfilled in part by the State of Nevada when the State Engineer granted PLPT the unappropriated water  
10 of the Truckee River in Ruling 4683, and Ruling 5079 in no way impacts the implementation of that  
11 agreement. PLPT has also not indicated that the 1996 Water Quality Settlement Agreement has been in  
12 any way violated, and it cannot do so since it provides for the purchase of Truckee River surface water  
13 rights and no such rights are implicated here. All of the other agreements referred to are likewise not  
14 impacted by Ruling 5079 since the State Engineer specifically found that the proposed appropriations  
15 would not impact the flows of the Truckee River, a finding supported by substantial evidence. *See*  
16 section V(B)(1) above. Since none of these various agreements have been violated, were not raised as  
17 protest issues before the State Engineer, and are not impacted by Ruling 5079, that Ruling cannot be  
18 said to threaten to be detrimental to the public interest as a result.

19 It must also be noted that none of the agreements referred to by PLPT directly address changes  
20 in place and manner of use of groundwater. By PLPT's own admission these agreements deal with  
21 direct appropriations from the Truckee River. Petitioner's Opening Brief at 5-6. PLPT and the other  
22 parties to those agreements cannot be allowed to expand the terms of those agreements under the  
23 auspices of the public interest. Likewise, the State Engineer is not responsible for the enforcement or  
24 interpretation of any of the referred to agreements. Since the State Engineer does not have the duty to  
25 independently review or enforce any of these agreements, their terms may not be elevated to the level of  
26 the public policy of the State of Nevada. *Pyramid Lake Paiute Tribe of Indians v. Washoe County*, 112  
27 Nev. at 749-50, 918 P.2d at 701.

28 ////

Attorney General's Office  
100 N. Carson Street  
Carson City, Nevada 89701-4717

1 PLPT also argues that the State Engineer failed to reconcile Rulings 4683 and 4659 with Ruling  
2 5079. The "need" to reconcile these rulings, however, is based on both factual and legal inaccuracies.  
3 First, both Ruling 4683 and 4659 address applications to appropriate surface water from the Truckee  
4 River, which is not the case here. ROA Tabs 10 and 11. Second, there has been a specific finding that  
5 the Applications as approved in this case will not result in a reduction of flows to the Truckee River.  
6 Finally, as a matter of law, the State Engineer is under no obligation to reconcile his findings with  
7 previous rulings, whether they are factually on all fours or whether, as is the case here, they are not.  
8 *Desert Irrigation, Ltd. v. State of Nevada*, 113 Nev. 1049, 1058, 944 P.2d 835, 841 (1997); *Motor*  
9 *Cargo v. Public Service Commission*, 108 Nev. 335, 337, 830 P.2d 1328, 1330 (1992).

10 The State Engineer correctly concluded that the Applications as approved do not threaten to  
11 prove detrimental to the public interest. Each of PLPT's objections in this regard assumes that the  
12 Applications will cause a significant decrease in Truckee River flows. The State Engineer specifically  
13 found, however, that this will not be the case, and there is substantial evidence supporting this finding.

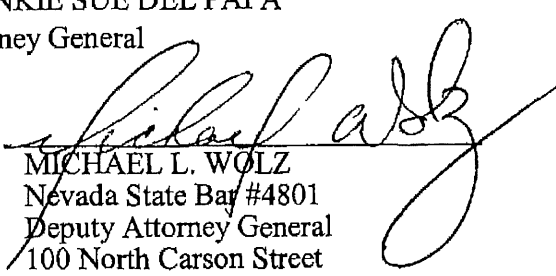
14 VI. CONCLUSION

15 The State Engineer specifically found that Applications 66555, 66556, and 66557, as reduced  
16 and approved, do not conflict with existing rights or threaten to prove detrimental to the public interest.  
17 He likewise found that there is unappropriated water in the Basin. There is substantial evidence in the  
18 record supporting each of the State Engineer's findings in this regard. This Court must therefore affirm  
19 State Engineer's Ruling No. 5079 and dismiss PLPT's Petition for Judicial Review.

20 DATED this 3rd day of May, 2002.

21 FRANKIE SUE DEL PAPA  
22 Attorney General

23 By:

  
24 MICHAEL L. WOLZ  
25 Nevada State Bar #4801  
26 Deputy Attorney General  
27 100 North Carson Street  
28 Carson City, Nevada 89701-4717  
(775) 684-1231

Attorneys for Respondent,  
Nevada State Engineer

1 CERTIFICATE OF MAILING

2 I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that  
3 on this 3rd day of May, 2002, I deposited for mailing at Carson City, Nevada, postage prepaid, a  
4 true and correct copy of the foregoing document, addressed to the following:

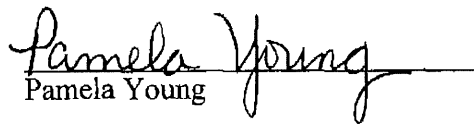
5 Wes Williams, Jr., Esq.  
6 Cheri K. Emm, Esq.  
7 Williams & Emm  
8 Post Office Box 2643  
9 Fallon, Nevada 89406

10 Robert S. Pelcyger, Esq.  
11 Fredericks, Pelcyger & Hester  
12 1075 South Boulder Road, Suite 305  
13 Louisville, Colorado 80027

14 James R. Cavilia, Esq.  
15 Allison, MacKenzie, Hartman,  
16 Soumbeniotis and Russell, Ltd.  
17 Post Office Box 646  
18 Carson City, Nevada 89702

19 Francis C. Flaherty, Esq.  
20 Dyer, Lawrence, Penrose, Flaherty & Donaldson  
21 2805 North Mountain Street  
22 Carson City, Nevada 89703

23 J. Michael Bailey, Esq.  
24 Parsons Behle & Latimer  
25 Post Office Box 45898  
26 Salt Lake City, Utah 84145-0898

27  
28  
  
Pamela Young

Attorney General's Office  
100 N. Carson Street  
Carson City, Nevada 89701-4717

# Exhibit 7

1 MFEE  
2 Bradley J. Herrema #10368  
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6 Telephone (702) 382-2101  
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22 Wlc@coulthardlaw.com  
23 Telephone: (702) 898-9944

24 Emilia K. Cargill #6493  
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26 P.O. Box 37010  
27 Coyote Springs, Nevada 89037  
28 Telephone: (725) 210-5433  
Emilia.Cargill@wingfieldnevadagroup.Com  
*Attorneys For Petitioner Coyote Springs Investment,  
LLC*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

LAS VEGAS VALLEY WATER DISTRICT,  
and SOUTHERN NEVADA WATER  
AUTHORITY

Petitioners,  
v.

ADAM SULLIVAN, P.E., Acting Nevada State  
Engineer, DIVISION OF WATER  
RESOURCES, DEPARTMENT OF  
CONSERVATION AND NATURAL  
RESOURCES

Respondent.

Case No.: A-20-816761-C (Lead Case)

Dept. No.: 1

**COYOTE SPRINGS INVESTMENT, LLC'S  
MOTION FOR ATTORNEY FEES**

1 IN THE MATTER OF THE PETITION OF  
2 COYOTE SPRINGS INVESTMENT, LLC

**CONSOLIDATED WITH:**  
Case No.: A-20-817765-P (Sub Case)  
Dept. No.: 1

3 IN THE MATTER OF THE PETITION OF  
4 APEX HOLDING COMPANY, LLC

Case No.: A-20-817840-P (Sub Case)  
Dept. No.: 1

5 IN THE MATTER OF THE PETITION OF  
6 CENTER FOR BIOLOGICAL DIVERSITY

Case No.: A-20-817876-P (Sub Case)  
Dept. No.: 1

7 IN THE MATTER OF THE PETITION OF  
8 MUDDY VALLEY IRRIGATION COM  
9 PANY

Case No.: A-20-817977-P (Sub Case)  
Dept. No.: 1

10 IN THE MATTER OF THE PETITION OF  
11 NEVADA COGENERATION ASSOCIATES  
12 NOS. 1 AND 2

Case No.: A-20-818015-P (Sub Case)  
Dept. No.: 1

13 IN THE MATTER OF THE PETITION OF  
14 GEORGIA-PACIFIC GYPSUM, LLC AND  
15 REPUBLIC ENVIRONMENTAL  
16 TECHNOLOGIES, INC.

Case No.: A-20-818069-P (Sub Case)  
Dept. No. 1

17 IN THE MATTER OF THE PETITION OF  
18 LINCOLN COUNTY WATER DISTRICT  
19 AND VIDLER WATER COMPANY, INC.

Case No.: A-21-833572-J  
Dept. No. 1

20 **COYOTE SPRINGS INVESTMENT, LLC'S MOTION FOR ATTORNEY FEES**

21 I, Bradley J. Herrema, Esq., hereby declare as follows:

22 1. I am an attorney of record for Coyote Springs Investment LLC ("CSI"), in the  
23 above-referenced lawsuits filed in the District Court of Clark County, Nevada, Case No. A-20-  
24 816761-C.

25 2. I am a shareholder at the law firm of Brownstein Hyatt Farber Schreck, LLP  
26 ("Brownstein"), and I have personal knowledge of the matters set forth below, and would  
27 competently testify to them if called upon.  
28

1           3.       I have personal knowledge of the facts stated herein. True and correct copies of  
2 Brownstein's redacted billing invoices for fees and costs incurred in this action, including  
3 descriptions for the same were submitted to CSI are attached as **Exhibit A**.

4           4.       Brownstein attorneys' work on this matter included the review of State Engineer's  
5 Order No. 1309, preparation and filing of CSI's petition for judicial review of the order, motion  
6 practice and associated court appearances in establishing the parties and briefing and trial schedule  
7 regarding CSI's petition and the petitions as to which it intervened, research and review of the  
8 record in regard to the drafting of CSI's briefs, and preparation for and appearance and participation  
9 in the February 2022 trial on the coordinated petitions.

10          5.       I am able to provide unredacted invoices for *in camera* review upon the Court's  
11 request. Brownstein billed \$197,384.00 in attorney fees for its work in connection with this action  
12 from June 15, 2020 through April 19, 2022. All of these fees and costs are reasonable and were  
13 necessarily and actually incurred.


14          6.       The BHFS attorneys who worked on this matter were: (i) Bradley J. Herrema, Esq.;  
15 (ii) Matthew J. McKissick, Esq.; and (iii) Brooke M. Wangsgard, Esq.

16          7.       Bios for myself and Mr. McKissick are attached hereto as **Exhibit B** and **Exhibit**  
17 **C**, respectively. Ms. Wangsgard has left Brownstein since the time in 2020 that she worked on the  
18 matter.

19                   I declare under penalty of perjury under the laws of the State of Nevada that the foregoing  
20 is true and correct.

21  
22 Dated: May 5, 2022

BROWNSTEIN HYATT FARBER SCHRECK, LLP

23  
24 By: 

25                   Bradley J. Herrema,  
26                   Attorneys for Coyote Springs Investment  
27                   LLC

28  
24111515.1

# Exhibit 7(a)



Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: June 05, 2020  
Invoice #: 803406  
Client.Matter #: 061550.0001


**Payable Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through May 31, 2020

<b>TOTAL FEES</b>		\$ 178.50
<b>COSTS</b>		
		\$ 4.46
	Total Costs	<u>4.46</u>
	<b>Total Amount Due This Invoice</b>	<u><u>\$ 182.96</u></u>

# Brownstein Hyatt Farber Schreck

Brownstein Hyatt Farber Schreck, LLP  
 2049 Century Park East  
 Suite 3550  
 Los Angeles, CA 90067  
 Phone: 310-500-4600  
 Facsimile: 310-500-4602  
<http://www.bhfs.com>

Coyote Springs Investment, LLC  
 Attn: Emilia K. Cargill  
 3100 State Route 168  
 PO Box 37010  
 Coyote Springs, NV 89037

Invoice Date: June 05, 2020  
 Invoice #: 803406  
 Client.Matter #: 061550.0001

Re: Nevada State Engineer

---

For Professional Services Rendered Through May 31, 2020

**FEES**

<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
05/22/2020	B. Herrema	[REDACTED]	0.30	595.00	\$ 178.50
<b>Total Fees</b>			<u>0.30</u>		<u>\$ 178.50</u>

**TIMEKEEPER SUMMARY**

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Bradley J. Herrema	<u>0.30</u>	595.00	<u>\$ 178.50</u>
Total Fees	0.30		<u>\$ 178.50</u>

**COSTS**

<u>Date</u>	<u>Description</u>	<u>Amount</u>
06/05/2020	[REDACTED]	\$ 4.46
<b>Total Costs</b>		<u>\$ 4.46</u>

# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: June 05, 2020  
Invoice #: 803406  
Client.Matter #: 061550.0001  
Page 2

## COST SUMMARY

### Description

### Amount

[REDACTED]

\$ 4.46

\$ 4.46

**Total Amount Due This Invoice**

\$ 182.96

Previous Balance

\$ 548.89

Less Credits

-

**TOTAL AMOUNT DUE**

\$ 731.85

# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: June 05, 2020  
Invoice #: 803406  
Client.Matter #: 061550.0001  
Page 3

## ARAGING

<u>0 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>91 - 120</u>	<u>121+</u>	<u>Total</u>
\$ 121.98	\$ 426.91	\$ -	\$ -	\$ -	\$ 548.89

## SUMMARY OF ACCOUNTS RECEIVABLE

<u>Date</u>	<u>Invoice No.</u>	<u>Amount</u>	<u>Credits</u>	<u>Adjustments</u>	<u>Balance</u>
04/06/2020	796276	\$ 426.91	\$ -	\$ -	\$ 426.91
05/14/2020	800936	121.98	-	-	121.98
		<b>\$ 548.89</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 548.89</b>

# Brownstein Hyatt Farber Schreck

Brownstein Hyatt Farber Schreck, LLP  
2049 Century Park East  
Suite 3550  
Los Angeles, CA 90067  
Phone: 310-500-4600  
Facsimile: 310-500-4602  
[http: www.bhfs.com](http://www.bhfs.com)  
EIN: 26-1367865  
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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: June 05, 2020  
Invoice #: 803406  
Client.Matter #: 061550.0001

Re: Nevada State Engineer

---

For Professional Services Rendered Through May 31, 2020

Previous Balance	\$ 548.89
Less Credits	-
<b>Balance Forward</b>	<b>\$ 548.89</b>
Total Fees	\$ 178.50
Total Costs	4.46
<b>Total Amount Due This Invoice</b>	<b>\$ 182.96</b>
<b>TOTAL AMOUNT DUE</b>	<b>\$ 731.85</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037


Invoice Date: July 07, 2020  
Invoice #: 806730  
Client.Matter #: 061550.0001

**Payable Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

**INVOICE SUMMARY**

For Professional Services Rendered Through June 30, 2020

<b>TOTAL FEES</b>		\$ 15,130.00
<b>COSTS</b>		
		\$ 378.25
	Total Costs	<u>378.25</u>
	<b>Total Amount Due This Invoice</b>	<u><u>\$ 15,508.25</u></u>

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: July 07, 2020  
Invoice #: 806730  
Client.Matter #: 061550.0001

Re: Nevada State Engineer

For Professional Services Rendered Through June 30, 2020

**FEES**

<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
06/02/2020	B. Herrema	[REDACTED]	0.10	595.00	\$ 59.50
06/04/2020	B. Herrema	[REDACTED]	0.40	595.00	238.00
06/08/2020	B. Herrema	[REDACTED]	0.20	595.00	119.00
06/08/2020	B. Herrema	[REDACTED]	0.30	595.00	178.50
06/09/2020	B. Herrema	[REDACTED]	0.50	595.00	297.50
06/10/2020	B. Herrema	[REDACTED]	0.70	595.00	416.50
06/12/2020	B. Herrema	[REDACTED]	0.60	595.00	357.00
06/15/2020	B. Herrema	[REDACTED]	1.50	595.00	892.50
06/16/2020	B. Herrema	[REDACTED]	1.80	595.00	1,071.00
06/17/2020	B. Herrema	[REDACTED]	1.80	595.00	1,071.00
06/17/2020	B. Herrema	[REDACTED]	2.40	595.00	1,428.00

# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: July 07, 2020  
Invoice #: 806730  
Client.Matter #: 061550.0001  
Page 2

**FEES**

<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
		[REDACTED]			
06/18/2020	B. Herrema	[REDACTED]	1.20	595.00	714.00
06/19/2020	B. Herrema	[REDACTED]	0.90	595.00	535.50
06/22/2020	B. Herrema	[REDACTED]	2.20	595.00	1,309.00
06/22/2020	B. Herrema	[REDACTED]	0.20	595.00	119.00
06/23/2020	B. Herrema	[REDACTED]	0.60	595.00	357.00
06/24/2020	B. Herrema	[REDACTED]	0.40	595.00	238.00
06/25/2020	B. Herrema	[REDACTED]	1.60	595.00	952.00
06/29/2020	B. Herrema	[REDACTED]	0.80	595.00	476.00
06/29/2020	M. McKissick	[REDACTED]	2.60	340.00	884.00
06/30/2020	B. Herrema	[REDACTED]	3.00	595.00	1,785.00
06/30/2020	M. McKissick	[REDACTED]	1.40	340.00	476.00
06/30/2020	M. McKissick	[REDACTED]	3.40	340.00	1,156.00



# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: July 07, 2020  
Invoice #: 806730  
Client.Matter #: 061550.0001  
Page 3

	28.60	\$ 15,130.00
--	-------	--------------

**TIMEKEEPER SUMMARY**

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Bradley J. Herrema	21.20	595.00	\$ 12,614.00
Matthew J. McKissick	7.40	340.00	2,516.00
Total Fees	28.60		\$ 15,130.00

**COSTS**

<u>Date</u>	<u>Description</u>	<u>Amount</u>
07/07/2020	[REDACTED]	\$ 378.25
	<b>Total Costs</b>	<b>\$ 378.25</b>

**COST SUMMARY**

<u>Description</u>	<u>Amount</u>
[REDACTED]	\$ 378.25
	\$ 378.25

<b>Total Amount Due This Invoice</b>	<b>\$ 15,508.25</b>
Previous Balance	\$ 731.85
Less Credits	-
<b>TOTAL AMOUNT DUE</b>	<b>\$ 16,240.10</b>

# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: July 07, 2020  
Invoice #: 806730  
Client.Matter #: 061550.0001  
Page 4

**ARAGING**

<u>0 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>91 - 120</u>	<u>121+</u>	<u>Total</u>
\$ -	\$ 304.94	\$ -	\$ 426.91	\$ -	\$ 731.85

**SUMMARY OF ACCOUNTS RECEIVABLE**

<u>Date</u>	<u>Invoice No.</u>	<u>Amount</u>	<u>Credits</u>	<u>Adjustments</u>	<u>Balance</u>
04/06/2020	796276	\$ 426.91	\$ -	\$ -	\$ 426.91
05/14/2020	800936	121.98	-	-	121.98
06/05/2020	803406	182.96	-	-	182.96
		<b>\$ 731.85</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 731.85</b>

# Brownstein Hyatt Farber Schreck

Brownstein Hyatt Farber Schreck, LLP  
 2049 Century Park East  
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 Los Angeles, CA 90067  
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 Facsimile: 310-500-4602  
 http: www.bhfs.com  
 EIN: 26-1367865  
 For W-9 Form: [www.bhfs.com/w-9](http://www.bhfs.com/w-9)

Coyote Springs Investment, LLC  
 Attn: Emilia K. Cargill  
 3100 State Route 168  
 PO Box 37010  
 Coyote Springs, NV 89037

Invoice Date: July 07, 2020  
 Invoice #: 806730  
 Client.Matter #: 061550.0001

Re: Nevada State Engineer

For Professional Services Rendered Through June 30, 2020

Previous Balance	\$ 731.85
Less Credits	-
<b>Balance Forward</b>	<b>\$ 731.85</b>
Total Fees	\$ 15,130.00
Total Costs	378.25
<b>Total Amount Due This Invoice</b>	<b>\$ 15,508.25</b>
<b>TOTAL AMOUNT DUE</b>	<b>\$ 16,240.10</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: August 09, 2020  
Invoice #: 810656  
Client.Matter #: 061550.0001




**Payable Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through July 31, 2020

<b>TOTAL FEES</b>			\$ 27,227.50
<b>COSTS</b>			
		\$ 116.29	
		521.79	
		680.69	
	Total Costs	<hr/>	1,318.77
	<b>Total Amount Due This Invoice</b>		<hr/> <b>\$ 28,546.27</b> <hr/>

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: August 09, 2020  
Invoice #: 810656  
Client.Matter #: 061550.0001

Re: Nevada State Engineer

For Professional Services Rendered Through July 31, 2020

**FEES**

<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
07/01/2020	B. Herrema	[REDACTED]	0.60	595.00	\$ 357.00
07/02/2020	B. Herrema	[REDACTED]	1.60	595.00	952.00
07/02/2020	B. Herrema	[REDACTED]	1.30	595.00	773.50
07/03/2020	B. Herrema	[REDACTED]	3.10	595.00	1,844.50
07/04/2020	B. Herrema	[REDACTED]	1.60	595.00	952.00
07/05/2020	B. Herrema	[REDACTED]	1.80	595.00	1,071.00
07/06/2020	B. Herrema	[REDACTED]	3.30	595.00	1,963.50
07/07/2020	B. Herrema	[REDACTED]	4.30	595.00	2,558.50
07/07/2020	M. McKissick	[REDACTED]	1.30	340.00	442.00

# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: August 09, 2020  
Invoice #: 810656  
Client.Matter #: 061550.0001  
Page 2

**FEES**

<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
		[REDACTED]			
07/08/2020	B. Herrema	[REDACTED]	5.50	595.00	3,272.50
07/09/2020	B. Herrema	[REDACTED]	1.50	595.00	892.50
07/09/2020	B. Herrema	[REDACTED]	0.90	595.00	535.50
07/10/2020	B. Herrema	[REDACTED]	1.00	595.00	595.00
07/11/2020	B. Herrema	[REDACTED]	0.20	595.00	119.00
07/13/2020	B. Herrema	[REDACTED]	1.10	595.00	654.50
07/14/2020	B. Herrema	[REDACTED]	0.60	595.00	357.00
07/14/2020	B. Herrema	[REDACTED]	0.70	595.00	416.50
07/14/2020	B. Wangsgard	[REDACTED]	0.80	385.00	308.00
07/15/2020	B. Herrema	[REDACTED]	0.80	595.00	476.00
07/16/2020	B. Herrema	[REDACTED]	0.40	595.00	238.00
07/16/2020	B. Herrema	[REDACTED]	0.40	595.00	238.00

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# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: August 09, 2020  
Invoice #: 810656  
Client.Matter #: 061550.0001  
Page 3

**FEES**

<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
		[REDACTED]			
07/16/2020	B. Herrema	[REDACTED]	0.30	595.00	178.50
07/16/2020	B. Herrema	[REDACTED]	0.10	595.00	59.50
07/17/2020	B. Herrema	[REDACTED]	2.80	595.00	1,666.00
07/18/2020	B. Herrema	[REDACTED]	0.30	595.00	178.50
07/20/2020	B. Herrema	[REDACTED]	0.70	595.00	416.50
07/21/2020	B. Herrema	[REDACTED]	0.80	595.00	476.00
07/22/2020	B. Herrema	[REDACTED]	0.90	595.00	535.50
07/23/2020	B. Herrema	[REDACTED]	1.10	595.00	654.50
07/24/2020	B. Herrema	[REDACTED]	1.20	595.00	714.00
07/25/2020	B. Herrema	[REDACTED]	0.30	595.00	178.50
07/27/2020	B. Herrema	[REDACTED]	1.10	595.00	654.50
07/28/2020	B. Herrema	[REDACTED]	1.00	595.00	595.00

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# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: August 09, 2020  
Invoice #: 810656  
Client.Matter #: 061550.0001  
Page 4

## FEES

<u>Date</u>	<u>Tkpr</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
07/28/2020	B. Herrema	[REDACTED]	1.60	595.00	952.00
07/29/2020	B. Herrema	[REDACTED]	0.80	595.00	476.00
07/30/2020	B. Herrema	[REDACTED]	0.20	595.00	119.00
07/30/2020	B. Herrema	[REDACTED]	0.40	595.00	238.00
07/31/2020	B. Herrema	[REDACTED]	0.20	595.00	119.00
<b>Total Fees</b>			<u>46.60</u>		<u>\$ 27,227.50</u>

## TIMEKEEPER SUMMARY

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Bradley J. Herrema	44.50	595.00	\$ 26,477.50
Brooke M. Wangsgard	0.80	385.00	308.00
Matthew J. McKissick	1.30	340.00	442.00
Total Fees	<u>46.60</u>		<u>\$ 27,227.50</u>

## COSTS

<u>Date</u>	<u>Description</u>	<u>Amount</u>
07/09/2020	[REDACTED]	\$ 11.60
07/09/2020	[REDACTED]	270.00



# Brownstein Hyatt Farber Schreck

Coyote Springs Investment, LLC  
Re: Nevada State Engineer

Invoice Date: August 09, 2020  
Invoice #: 810656  
Client.Matter #: 061550.0001  
Page 5

## COSTS

<u>Date</u>	<u>Description</u>	<u>Amount</u>
07/10/2020	[REDACTED]	10.19
07/10/2020	[REDACTED]	223.00
07/10/2020	[REDACTED]	3.50
07/14/2020	[REDACTED]	3.50
07/21/2020	[REDACTED]	116.29
08/09/2020	[REDACTED]	680.69
<b>Total Costs</b>		<b>\$ 1,318.77</b>

## COST SUMMARY

<u>Description</u>	<u>Amount</u>
[REDACTED]	\$ 521.79
[REDACTED]	116.29
[REDACTED]	680.69
	<b>\$ 1,318.77</b>
<b>Total Amount Due This Invoice</b>	<b>\$ 28,546.27</b>

# Brownstein Hyatt Farber Schreck

Brownstein Hyatt Farber Schreck, LLP  
 2049 Century Park East  
 Suite 3550  
 Los Angeles, CA 90067  
 Phone: 310-500-4600  
 Facsimile: 310-500-4602  
 http: www.bhfs.com  
 EIN: 26-1367865  
 For W-9 Form: [www.bhfs.com/w-9](http://www.bhfs.com/w-9)

Coyote Springs Investment, LLC  
 Attn: Emilia K. Cargill  
 3100 State Route 168  
 PO Box 37010  
 Coyote Springs, NV 89037

Invoice Date: August 09, 2020  
 Invoice #: 810656  
 Client.Matter #: 061550.0001

Re: Nevada State Engineer

---

For Professional Services Rendered Through July 31, 2020

Previous Balance	\$ 16,240.10
Less Credits	(16,240.10)
<b>Balance Forward</b>	<b>\$ -</b>
Total Fees	\$ 27,227.50
Total Costs	1,318.77
<b>Total Amount Due This Invoice</b>	<b>\$ 28,546.27</b>
<b>TOTAL AMOUNT DUE</b>	<b>\$ 28,546.27</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: September 11, 2020  
Invoice #: 814594  
Client.Matter #: 061550.0001

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

**Payment Due Upon Receipt**

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**INVOICE SUMMARY**

For Professional Services Rendered Through August 31, 2020

Fees	\$6,842.50
Costs	\$3.50
Charges	\$171.06
<b>Total Invoice Amount</b>	<b>\$7,017.06</b>

---

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: September 11, 2020  
Invoice #: 814594  
Client.Matter #: 061550.0001  
Page 2

### FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
08/03/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
08/04/20	B. Herrema	[REDACTED]	0.60	595.00	357.00
08/05/20	B. Herrema	[REDACTED]	0.70	595.00	416.50
08/06/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
08/07/20	B. Herrema	[REDACTED]	0.80	595.00	476.00
08/09/20	B. Herrema	[REDACTED]	0.50	595.00	297.50
08/10/20	B. Herrema	[REDACTED]	0.60	595.00	357.00
08/11/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
08/12/20	B. Herrema	[REDACTED]	1.20	595.00	714.00
08/13/20	B. Herrema	[REDACTED]	0.70	595.00	416.50
08/13/20	B. Herrema	[REDACTED]	0.30	595.00	178.50
08/14/20	B. Herrema	[REDACTED]	0.30	595.00	178.50
08/17/20	B. Herrema	[REDACTED]	0.90	595.00	535.50
08/18/20	B. Herrema	[REDACTED]	0.30	595.00	178.50
08/19/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
08/20/20	B. Herrema	[REDACTED]	0.90	595.00	535.50
08/21/20	B. Herrema	[REDACTED]	0.40	595.00	238.00
08/24/20	B. Herrema	[REDACTED]	0.20	595.00	119.00

# Brownstein Hyatt Farber Schreck

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: September 11, 2020  
Invoice #: 814594  
Client.Matter #: 061550.0001

Date	Timekeeper	Description	Hours	Rate	Amount
08/25/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
08/26/20	B. Herrema	[REDACTED]	0.30	595.00	178.50
08/27/20	B. Herrema	[REDACTED]	0.30	595.00	178.50
08/28/20	B. Herrema	[REDACTED]	0.60	595.00	357.00
08/30/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
08/31/20	B. Herrema	[REDACTED]	0.50	595.00	297.50
08/31/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
<b>Total Fees</b>			<b>11.50</b>		<b>\$6,842.50</b>

### FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	11.50	6,842.50	11.50	595.00	6,842.50
<b>Total Fees</b>	<b>11.50</b>	<b>\$6,842.50</b>	<b>11.50</b>		<b>\$6,842.50</b>

### COST DETAIL

Date	Cost Type	Description	Amount
07/17/20	Filing Fee	[REDACTED]	3.50
<b>Total Costs</b>			<b>\$3.50</b>

### COST SUMMARY

Description	Amount
[REDACTED]	3.50
<b>Total Costs</b>	<b>\$3.50</b>

# Brownstein Hyatt Farber Schreck

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: September 11, 2020  
Invoice #: 814594  
Client.Matter #: 061550.0001

Page 4

## CHARGE DETAIL

<u>Date</u>	<u>Description</u>	<u>Amount</u>
09/02/20	[REDACTED]	171.06
<b>Total Charges</b>		<b>\$171.06</b>

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: September 11, 2020  
Invoice #: 814594  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through August 31, 2020

Fees	\$6,842.50
Costs	\$3.50
Charges	\$171.06
<b>Total Invoice Amount</b>	<b>\$7,017.06</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: October 13, 2020  
Invoice #: 818461  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through September 30, 2020

Fees	\$3,570.00
Charges	\$89.25
<b>Total Invoice Amount</b>	<b>\$3,659.25</b>

---

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: October 13, 2020  
Invoice #: 818461  
Client.Matter #: 061550.0001  
Page 2

**FEE DETAIL**

Date	Timekeeper	Description	Hours	Rate	Amount
09/01/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
09/02/20	B. Herrema	[REDACTED]	0.30	595.00	178.50
09/09/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
09/10/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
09/14/20	B. Herrema	[REDACTED]	0.50	595.00	297.50
09/15/20	B. Herrema	[REDACTED]	0.80	595.00	476.00
09/16/20	B. Herrema	[REDACTED]	1.10	595.00	654.50
09/16/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
09/16/20	B. Herrema	[REDACTED]	0.40	595.00	238.00
09/17/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
09/21/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
09/22/20	B. Herrema	[REDACTED]	0.50	595.00	297.50
09/23/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
09/24/20	B. Herrema	[REDACTED]	0.80	595.00	476.00
09/25/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
<b>Total Fees</b>			<b>6.00</b>		<b>\$3,570.00</b>

# Brownstein Hyatt Farber Schreck

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: October 13, 2020  
 Invoice #: 818461  
 Client.Matter #: 061550.0001  
 Page 3

### FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	6.00	3,570.00	6.00	595.00	3,570.00
<b>Total Fees</b>	<b>6.00</b>	<b>\$3,570.00</b>	<b>6.00</b>		<b>\$3,570.00</b>

### CHARGE DETAIL

Date	Description	Amount
10/02/20	[REDACTED]	89.25
<b>Total Charges</b>		<b>\$89.25</b>

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: October 13, 2020  
Invoice #: 818461  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through September 30, 2020

Fees	\$3,570.00
Charges	\$89.25
<b>Total Invoice Amount</b>	<b>\$3,659.25</b>

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 22nd Floor  
 Denver, CO 80202  
 Phone: 303-223-1100  
 Facsimile: 303-223-1111

<http://www.bhfs.com>

Coyote Springs Investment, LLC  
 Attn: Emilia K. Cargill  
 3100 State Route 168  
 PO Box 37010  
 Coyote Springs, NV 89037

Invoice Date: November 7, 2020  
 Invoice #: 821803  
 Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

**INVOICE SUMMARY**

For Professional Services Rendered Through October 31, 2020

Fees	\$4,581.50
Charges	\$114.54
<b>Total Invoice Amount</b>	<b>\$4,696.04</b>
Previous Balance Due	\$3,659.25
<b>Total Amount Due</b>	<b>\$8,355.29</b>

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: November 7, 2020  
Invoice #: 821803  
Client.Matter #: 061550.0001  
Page 2

**FEE DETAIL**

Date	Timekeeper	Description	Hours	Rate	Amount
10/01/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
10/05/20	B. Herrema	[REDACTED]	0.90	595.00	535.50
10/06/20	B. Herrema	[REDACTED]	1.80	595.00	1,071.00
10/06/20	B. Herrema	[REDACTED]	1.00	595.00	595.00
10/06/20	B. Herrema	[REDACTED]	0.60	595.00	357.00
10/07/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
10/08/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
10/14/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
10/19/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
10/21/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
10/22/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
10/23/20	B. Herrema	[REDACTED]	0.40	595.00	238.00
10/25/20	B. Herrema	[REDACTED]	0.30	595.00	178.50
10/27/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
10/29/20	B. Herrema	[REDACTED]	0.70	595.00	416.50
10/30/20	B. Herrema	[REDACTED]	0.40	595.00	238.00
<b>Total Fees</b>			<b>7.70</b>		<b>\$4,581.50</b>

# Brownstein Hyatt Farber Schreck

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: November 7, 2020  
 Invoice #: 821803  
 Client.Matter #: 061550.0001  
 Page 3

## FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	7.70	4,581.50	7.70	595.00	4,581.50
<b>Total Fees</b>	<b>7.70</b>	<b>\$4,581.50</b>	<b>7.70</b>		<b>\$4,581.50</b>

## CHARGE DETAIL

Date	Description	Amount
11/03/20	[REDACTED]	114.54
<b>Total Charges</b>		<b>\$114.54</b>

## OUTSTANDING INVOICES AS OF NOVEMBER 7, 2020

Invoice Date	Invoice Number	Invoice Amount	Payments & Credits	Balance Due
10/13/20	818461	\$3,659.25	-	\$3,659.25
<b>Total Outstanding</b>				<b>\$3,659.25</b>

To request copies of the above-listed invoices, please contact [Finance-Receivables@BHFS.com](mailto:Finance-Receivables@BHFS.com)

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: November 7, 2020  
Invoice #: 821803  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through October 31, 2020

Fees	\$4,581.50
Charges	\$114.54
<b>Total Invoice Amount</b>	<b>\$4,696.04</b>
Previous Balance Due	\$3,659.25
<b>Total Amount Due</b>	<b>\$8,355.29</b>

---

**ELECTRONIC PAYMENTS  
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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: December 7, 2020  
Invoice #: 825145  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through November 30, 2020

Fees	\$3,391.50
Charges	\$84.79
<b>Total Invoice Amount</b>	<b>\$3,476.29</b>

---

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: December 7, 2020  
Invoice #: 825145  
Client.Matter #: 061550.0001  
Page 2

**FEE DETAIL**

Date	Timekeeper	Description	Hours	Rate	Amount
11/02/20	B. Herrema	[REDACTED]	1.30	595.00	773.50
11/03/20	B. Herrema	[REDACTED]	1.00	595.00	595.00
11/06/20	B. Herrema	[REDACTED]	0.60	595.00	357.00
11/07/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
11/09/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
11/11/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
11/12/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
11/12/20	B. Herrema	[REDACTED]	0.40	595.00	238.00
11/13/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
11/16/20	B. Herrema	[REDACTED]	0.30	595.00	178.50
11/17/20	B. Herrema	[REDACTED]	1.00	595.00	595.00
11/18/20	B. Herrema	[REDACTED]	0.10	595.00	59.50
<b>Total Fees</b>			<b>5.70</b>		<b>\$3,391.50</b>

**FEE SUMMARY**

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	5.70	3,391.50	5.70	595.00	3,391.50
<b>Total Fees</b>	<b>5.70</b>	<b>\$3,391.50</b>	<b>5.70</b>		<b>\$3,391.50</b>

**Brownstein Hyatt  
Farber Schreck**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: December 7, 2020  
Invoice #: 825145  
Client.Matter #: 061550.0001  
Page 3

**CHARGE DETAIL**

<b>Date</b>	<b>Description</b>	<b>Amount</b>
12/02/20	[REDACTED]	84.79
<b>Total Charges</b>		<b>\$84.79</b>

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: December 7, 2020  
Invoice #: 825145  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through November 30, 2020

Fees	\$3,391.50
Charges	\$84.79
<b>Total Invoice Amount</b>	<b>\$3,476.29</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: January 7, 2021  
Invoice #: 828106  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

**INVOICE SUMMARY**

For Professional Services Rendered Through December 31, 2020

Fees	\$357.00
Charges	\$8.93
<b>Total Invoice Amount</b>	<b>\$365.93</b>

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# Brownstein Hyatt Farber Schreck

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: January 7, 2021  
Invoice #: 828106  
Client.Matter #: 061550.0001  
Page 2

## FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
12/07/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
12/16/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
12/27/20	B. Herrema	[REDACTED]	0.20	595.00	119.00
<b>Total Fees</b>			<b>0.60</b>		<b>\$357.00</b>

## FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	0.60	357.00	0.60	595.00	357.00
<b>Total Fees</b>	<b>0.60</b>	<b>\$357.00</b>	<b>0.60</b>		<b>\$357.00</b>

## CHARGE DETAIL

Date	Description	Amount
01/05/21	[REDACTED]	8.93
<b>Total Charges</b>		<b>\$8.93</b>

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: January 7, 2021  
Invoice #: 828106  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through December 31, 2020

Fees	\$357.00
Charges	\$8.93
<b>Total Invoice Amount</b>	<b>\$365.93</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: February 5, 2021  
Invoice #: 831656  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through January 31, 2021

Fees	\$615.00
Charges	\$15.38
<b>Total Invoice Amount</b>	<b>\$630.38</b>

---

Previous Balance Due	\$365.93
<b>Total Amount Due</b>	<b>\$996.31</b>

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: February 5, 2021  
Invoice #: 831656  
Client.Matter #: 061550.0001  
Page 2

**FEE DETAIL**

Date	Timekeeper	Description	Hours	Rate	Amount
01/07/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
01/11/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
01/11/21	B. Herrema	[REDACTED]	0.40	615.00	246.00
01/12/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
<b>Total Fees</b>			<b>1.00</b>		<b>\$615.00</b>

**FEE SUMMARY**

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	1.00	615.00	1.00	615.00	615.00
<b>Total Fees</b>	<b>1.00</b>	<b>\$615.00</b>	<b>1.00</b>		<b>\$615.00</b>

**CHARGE DETAIL**

Date	Description	Amount
02/02/21	[REDACTED]	15.38
<b>Total Charges</b>		<b>\$15.38</b>

**OUTSTANDING INVOICES AS OF FEBRUARY 5, 2021**

Invoice Date	Invoice Number	Invoice Amount	Payments & Credits	Balance Due
01/07/21	828106	\$365.93	-	\$365.93
<b>Total Outstanding</b>				<b>\$365.93</b>

To request copies of the above-listed invoices, please contact Finance-Receivables@BHFS.com



Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: February 5, 2021  
Invoice #: 831656  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through January 31, 2021

Fees	\$615.00
Charges	\$15.38
<b>Total Invoice Amount</b>	<b>\$630.38</b>

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Previous Balance Due	\$365.93
<b>Total Amount Due</b>	<b>\$996.31</b>

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Coyote Springs Investment, LLC  
 Attn: Emilia K. Cargill  
 3100 State Route 168  
 PO Box 37010  
 Coyote Springs, NV 89037

Invoice Date: March 15, 2021  
 Invoice #: 836267  
 Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

**INVOICE SUMMARY**

For Professional Services Rendered Through February 28, 2021

Fees	\$1,660.50
Charges	\$41.51
<b>Total Invoice Amount</b>	<b>\$1,702.01</b>

**ELECTRONIC PAYMENTS**  
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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: March 15, 2021  
Invoice #: 836267  
Client.Matter #: 061550.0001  
Page 2

**FEE DETAIL**

Date	Timekeeper	Description	Hours	Rate	Amount
02/08/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
02/16/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
02/23/21	B. Herrema	[REDACTED]	0.50	615.00	307.50
02/24/21	B. Herrema	[REDACTED]	0.60	615.00	369.00
02/25/21	B. Herrema	[REDACTED]	0.80	615.00	492.00
02/26/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
02/28/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
<b>Total Fees</b>			<b>2.70</b>		<b>\$1,660.50</b>

**FEE SUMMARY**

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	2.70	1,660.50	2.70	615.00	1,660.50
<b>Total Fees</b>	<b>2.70</b>	<b>\$1,660.50</b>	<b>2.70</b>		<b>\$1,660.50</b>

**CHARGE DETAIL**

Date	Description	Amount
03/02/21	[REDACTED]	41.51
<b>Total Charges</b>		<b>\$41.51</b>

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: March 15, 2021  
Invoice #: 836267  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through February 28, 2021

Fees	\$1,660.50
Charges	\$41.51
<b>Total Invoice Amount</b>	<b>\$1,702.01</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: April 6, 2021  
Invoice #: 838665  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through March 31, 2021

Fees	\$615.00
Charges	\$15.38
<b>Total Invoice Amount</b>	<b>\$630.38</b>

---

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: April 6, 2021  
Invoice #: 838665  
Client.Matter #: 061550.0001  
Page 2

**FEE DETAIL**

Date	Timekeeper	Description	Hours	Rate	Amount
03/01/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
03/02/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
03/04/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
03/15/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
<b>Total Fees</b>			<b>1.00</b>		<b>\$615.00</b>

**FEE SUMMARY**

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	1.00	615.00	1.00	615.00	615.00
<b>Total Fees</b>	<b>1.00</b>	<b>\$615.00</b>	<b>1.00</b>		<b>\$615.00</b>

**CHARGE DETAIL**

Date	Description	Amount
04/02/21	[REDACTED]	15.38
<b>Total Charges</b>		<b>\$15.38</b>

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: April 6, 2021  
Invoice #: 838665  
Client.Matter #: 061550.0001  
Page 3

**OUTSTANDING INVOICES AS OF APRIL 6, 2021**

<b>Invoice Date</b>	<b>Invoice Number</b>	<b>Invoice Amount</b>	<b>Payments &amp; Credits</b>	<b>Balance Due</b>
03/15/21	836267	\$1,702.01	-	\$1,702.01
<b>Total Outstanding</b>				<b>\$1,702.01</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: April 6, 2021  
Invoice #: 838665  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through March 31, 2021

Fees	\$615.00
Charges	\$15.38
<b>Total Invoice Amount</b>	<b>\$630.38</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: May 13, 2021  
Invoice #: 843533  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through April 30, 2021

Fees	\$2,152.50
Charges	\$53.81
<b>Total Invoice Amount</b>	<b>\$2,206.31</b>

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: May 13, 2021  
Invoice #: 843533  
Client.Matter #: 061550.0001  
Page 2

### FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
04/15/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
04/16/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
04/19/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
04/20/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
04/23/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
04/25/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
04/26/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
04/27/21	B. Herrema	[REDACTED]	0.80	615.00	492.00
04/28/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
04/29/21	B. Herrema	[REDACTED]	0.70	615.00	430.50
<b>Total Fees</b>			<b>3.50</b>		<b>\$2,152.50</b>

### FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	3.50	2,152.50	3.50	615.00	2,152.50
<b>Total Fees</b>	<b>3.50</b>	<b>\$2,152.50</b>	<b>3.50</b>		<b>\$2,152.50</b>

### CHARGE DETAIL

Date	Description	Amount
05/04/21	[REDACTED]	53.81
<b>Total Charges</b>		<b>\$53.81</b>

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: May 13, 2021  
Invoice #: 843533  
Client.Matter #: 061550.0001  
Page 3

**OUTSTANDING INVOICES AS OF MAY 13, 2021**

<b>Invoice Date</b>	<b>Invoice Number</b>	<b>Invoice Amount</b>	<b>Payments &amp; Credits</b>	<b>Balance Due</b>
03/15/21	836267	\$1,702.01	-	\$1,702.01
04/06/21	838665	\$630.38	-	\$630.38
<b>Total Outstanding</b>				<b>\$2,332.39</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: May 13, 2021  
Invoice #: 843533  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through April 30, 2021

Fees	\$2,152.50
Charges	\$53.81
<b>Total Invoice Amount</b>	<b>\$2,206.31</b>

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http: www.bhfs.com

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: July 22, 2021  
Invoice #: 852706  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

**INVOICE SUMMARY**

For Professional Services Rendered Through June 30, 2021

Fees	\$6,088.50
Charges	\$152.21
<b>Total Invoice Amount</b>	<b>\$6,240.71</b>

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: July 22, 2021  
Invoice #: 852706  
Client.Matter #: 061550.0001

**FEE DETAIL**

Date	Timekeeper	Description	Hours	Rate	Amount
05/13/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
05/17/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
05/18/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
05/20/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
05/21/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
05/24/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
05/25/21	B. Herrema	[REDACTED]	1.10	615.00	676.50
05/26/21	B. Herrema	[REDACTED]	0.70	615.00	430.50
05/27/21	B. Herrema	[REDACTED]	0.70	615.00	430.50
06/03/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
06/04/21	B. Herrema	[REDACTED]	2.50	615.00	1,537.50
06/09/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
06/10/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
06/11/21	B. Herrema	[REDACTED]	0.40	615.00	246.00
06/14/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
06/15/21	B. Herrema	[REDACTED]	0.40	615.00	246.00
06/17/21	B. Herrema	[REDACTED]	0.20	615.00	123.00

# Brownstein Hyatt Farber Schreck

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: July 22, 2021  
Invoice #: 852706  
Client.Matter #: 061550.0001

Page 3

Date	Timekeeper	Description	Hours	Rate	Amount
06/22/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
06/23/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
06/24/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
06/25/21	B. Herrema	[REDACTED]	0.10	615.00	61.50
06/28/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
06/30/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
<b>Total Fees</b>			<b>9.90</b>		<b>\$6,088.50</b>

### FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	9.90	6,088.50	9.90	615.00	6,088.50
<b>Total Fees</b>	<b>9.90</b>	<b>\$6,088.50</b>	<b>9.90</b>		<b>\$6,088.50</b>

### CHARGE DETAIL

Date	Description	Amount
07/02/21	[REDACTED]	152.21
<b>Total Charges</b>		<b>\$152.21</b>

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: July 22, 2021  
 Invoice #: 852706  
 Client.Matter #: 061550.0001  
 Page 4

**OUTSTANDING INVOICES AS OF JULY 22, 2021**

<b>Invoice Date</b>	<b>Invoice Number</b>	<b>Invoice Amount</b>	<b>Payments &amp; Credits</b>	<b>Balance Due</b>
04/06/21	838665	\$630.38	-	\$630.38
<b>Total Outstanding</b>				<b>\$630.38</b>

To request copies of the above-listed invoices, please contact [Finance-Receivables@BHFS.com](mailto:Finance-Receivables@BHFS.com)



Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: July 22, 2021  
Invoice #: 852706  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through June 30, 2021

Fees	\$6,088.50
Charges	\$152.21
<b>Total Invoice Amount</b>	<b>\$6,240.71</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: August 5, 2021  
Invoice #: 853743  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through July 31, 2021

Fees	\$3,198.00
Charges	\$79.95
<b>Total Invoice Amount</b>	<b>\$3,277.95</b>

---

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: August 5, 2021  
Invoice #: 853743  
Client.Matter #: 061550.0001

### FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
07/01/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
07/09/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
07/12/21	B. Herrema	[REDACTED]	0.60	615.00	369.00
07/13/21	B. Herrema	[REDACTED]	0.60	615.00	369.00
07/19/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
07/21/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
07/22/21	B. Herrema	[REDACTED]	0.70	615.00	430.50
07/27/21	B. Herrema	[REDACTED]	0.70	615.00	430.50
07/29/21	B. Herrema	[REDACTED]	1.00	615.00	615.00
07/30/21	B. Herrema	[REDACTED]	0.60	615.00	369.00
<b>Total Fees</b>			<b>5.20</b>		<b>\$3,198.00</b>

### FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	5.20	3,198.00	5.20	615.00	3,198.00
<b>Total Fees</b>	<b>5.20</b>	<b>\$3,198.00</b>	<b>5.20</b>		<b>\$3,198.00</b>

### CHARGE DETAIL

Date	Description	Amount
08/03/21	[REDACTED]	79.95
<b>Total Charges</b>		<b>\$79.95</b>

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: August 5, 2021  
Invoice #: 853743  
Client.Matter #: 061550.0001  
Page 3

**OUTSTANDING INVOICES AS OF AUGUST 5, 2021**

<b>Invoice Date</b>	<b>Invoice Number</b>	<b>Invoice Amount</b>	<b>Payments &amp; Credits</b>	<b>Balance Due</b>
04/06/21	838665	\$630.38	-	\$630.38
07/22/21	852706	\$6,240.71	-	\$6,240.71
<b>Total Outstanding</b>				<b>\$6,871.09</b>

To request copies of the above-listed invoices, please contact [Finance-Receivables@BHFS.com](mailto:Finance-Receivables@BHFS.com)

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: August 5, 2021  
Invoice #: 853743  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through July 31, 2021

Fees	\$3,198.00
Charges	\$79.95
<b>Total Invoice Amount</b>	<b>\$3,277.95</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: September 11, 2021  
Invoice #: 858241  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**INVOICE SUMMARY**

For Professional Services Rendered Through August 31, 2021

Fees	\$21,648.00
Costs	\$359.29
Charges	\$541.20
<b>Total Invoice Amount</b>	<b>\$22,548.49</b>

---

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Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: September 11, 2021  
Invoice #: 858241  
Client.Matter #: 061550.0001  
Page 2

**FEE DETAIL**

Date	Timekeeper	Description	Hours	Rate	Amount
08/02/21	B. Herrema	[REDACTED]	1.10	615.00	676.50
08/03/21	B. Herrema	[REDACTED]	1.30	615.00	799.50
08/04/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
08/05/21	B. Herrema	[REDACTED]	0.80	615.00	492.00
08/09/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
08/10/21	B. Herrema	[REDACTED]	0.40	615.00	246.00
08/11/21	B. Herrema	[REDACTED]	1.00	615.00	615.00
08/11/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
08/12/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
08/13/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
08/14/21	B. Herrema	[REDACTED]	1.80	615.00	1,107.00
08/15/21	B. Herrema	[REDACTED]	0.90	615.00	553.50
08/16/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
08/17/21	B. Herrema	[REDACTED]	1.40	615.00	861.00
08/18/21	B. Herrema	[REDACTED]	2.20	615.00	1,353.00
08/19/21	B. Herrema	[REDACTED]	2.90	615.00	1,783.50
08/20/21	B. Herrema	[REDACTED]	1.90	615.00	1,168.50
08/21/21	B. Herrema	[REDACTED]	0.40	615.00	246.00
08/22/21	B. Herrema	[REDACTED]	3.90	615.00	2,398.50
08/23/21	B. Herrema	[REDACTED]	3.10	615.00	1,906.50
08/24/21	B. Herrema	[REDACTED]	4.10	615.00	2,521.50
08/25/21	B. Herrema	[REDACTED]	2.00	615.00	1,230.00
08/26/21	B. Herrema	[REDACTED]	3.40	615.00	2,091.00
08/27/21	B. Herrema	[REDACTED]	0.70	615.00	430.50

# Brownstein Hyatt Farber Schreck

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: September 11, 2021  
Invoice #: 858241  
Client.Matter #: 061550.0001

Page 3

Date	Timekeeper	Description	Hours	Rate	Amount
08/30/21	B. Herrema	[REDACTED]	0.60	615.00	369.00
<b>Total Fees</b>			<b>35.20</b>		<b>\$21,648.00</b>

## FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	35.20	21,648.00	35.20	615.00	21,648.00
<b>Total Fees</b>	<b>35.20</b>	<b>\$21,648.00</b>	<b>35.20</b>		<b>\$21,648.00</b>

## COST DETAIL

Date	Cost Type	Description	Amount
08/02/21	[REDACTED]	[REDACTED]	193.44
08/03/21	[REDACTED]	[REDACTED]	145.64
08/30/21	[REDACTED]	[REDACTED]	20.21
<b>Total Costs</b>			<b>\$359.29</b>

## COST SUMMARY

Description	Amount
[REDACTED]	339.08
[REDACTED]	20.21
<b>Total Costs</b>	<b>\$359.29</b>

## CHARGE DETAIL

Date	Description	Amount
09/02/21	[REDACTED]	541.20
<b>Total Charges</b>		<b>\$541.20</b>



Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: September 11, 2021  
Invoice #: 858241  
Client.Matter #: 061550.0001  
Page 4

**OUTSTANDING INVOICES AS OF SEPTEMBER 11, 2021**

<b>Invoice Date</b>	<b>Invoice Number</b>	<b>Invoice Amount</b>	<b>Payments &amp; Credits</b>	<b>Balance Due</b>
04/06/21	838665	\$630.38	-	\$630.38
07/22/21	852706	\$6,240.71	-	\$6,240.71
08/05/21	853743	\$3,277.95	-	\$3,277.95
<b>Total Outstanding</b>				<b>\$10,149.04</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: September 11, 2021  
Invoice #: 858241  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

**REMITTANCE SUMMARY**

For Professional Services Rendered Through August 31, 2021

Fees	\$21,648.00
Costs	\$359.29
Charges	\$541.20
<b>Total Invoice Amount</b>	<b>\$22,548.49</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: October 11, 2021  
Invoice #: 862008  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## INVOICE SUMMARY

For Professional Services Rendered Through September 30, 2021

Fees	\$9,225.00
Charges	\$230.63
<b>Total Invoice Amount</b>	<b>\$9,455.63</b>

---

### ELECTRONIC PAYMENTS (PREFERRED)

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# Brownstein

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: October 11, 2021  
 Invoice #: 862008  
 Client.Matter #: 061550.0001  
 Page 2

## FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
09/03/21	B. Herrema	[REDACTED]	0.40	615.00	246.00
09/06/21	B. Herrema	[REDACTED]	2.40	615.00	1,476.00
09/07/21	B. Herrema	[REDACTED] [REDACTED]	3.90	615.00	2,398.50
09/08/21	B. Herrema	[REDACTED] [REDACTED]	0.50	615.00	307.50
09/09/21	B. Herrema	[REDACTED] [REDACTED]	0.40	615.00	246.00
09/09/21	B. Herrema	[REDACTED] [REDACTED]	0.80	615.00	492.00
09/10/21	B. Herrema	[REDACTED] [REDACTED]	0.90	615.00	553.50
09/13/21	B. Herrema	[REDACTED] [REDACTED]	0.40	615.00	246.00
09/14/21	B. Herrema	[REDACTED] [REDACTED]	0.80	615.00	492.00
09/15/21	B. Herrema	[REDACTED] [REDACTED]	0.30	615.00	184.50
09/15/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
09/15/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
09/16/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
09/21/21	B. Herrema	[REDACTED] [REDACTED]	1.50	615.00	922.50
09/22/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
09/29/21	B. Herrema	[REDACTED] [REDACTED]	0.40	615.00	246.00
09/30/21	B. Herrema	[REDACTED] [REDACTED] [REDACTED]	1.30	615.00	799.50
<b>Total Fees</b>			<b>15.00</b>		<b>\$9,225.00</b>

# Brownstein

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: October 11, 2021  
Invoice #: 862008  
Client.Matter #: 061550.0001  
Page 3

### FEE SUMMARY

<b>Timekeeper</b>	<b>Worked Hours</b>	<b>Worked Amount</b>	<b>Billed Hours</b>	<b>Billed Rate</b>	<b>Billed Amount</b>
Bradley J. Herrema	15.00	9,225.00	15.00	615.00	9,225.00
<b>Total Fees</b>	<b>15.00</b>	<b>\$9,225.00</b>	<b>15.00</b>		<b>\$9,225.00</b>

### CHARGE DETAIL

<b>Date</b>	<b>Description</b>	<b>Amount</b>
10/04/21	[REDACTED]	230.63
<b>Total Charges</b>		<b>\$230.63</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: October 11, 2021  
Invoice #: 862008  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## REMITTANCE SUMMARY

For Professional Services Rendered Through September 30, 2021

Fees	\$9,225.00
Charges	\$230.63
<b>Total Invoice Amount</b>	<b>\$9,455.63</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: November 6, 2021  
Invoice #: 865460  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## INVOICE SUMMARY

For Professional Services Rendered Through October 31, 2021

Fees	\$2,706.00
Charges	\$67.65
<b>Total Invoice Amount</b>	<b>\$2,773.65</b>

---

### ELECTRONIC PAYMENTS (PREFERRED)

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# Brownstein

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: November 6, 2021  
 Invoice #: 865460  
 Client.Matter #: 061550.0001  
 Page 2

## FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
10/05/21	B. Herrema	[REDACTED]	0.50	615.00	307.50
10/06/21	B. Herrema	[REDACTED]	0.60	615.00	369.00
10/08/21	B. Herrema	[REDACTED]	0.40	615.00	246.00
10/11/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
10/12/21	B. Herrema	[REDACTED]	1.10	615.00	676.50
10/14/21	B. Herrema	[REDACTED]	0.70	615.00	430.50
10/18/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
10/19/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
10/20/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
<b>Total Fees</b>			<b>4.40</b>		<b>\$2,706.00</b>

## FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	4.40	2,706.00	4.40	615.00	2,706.00
<b>Total Fees</b>	<b>4.40</b>	<b>\$2,706.00</b>	<b>4.40</b>		<b>\$2,706.00</b>

## CHARGE DETAIL

Date	Description	Amount
11/02/21	[REDACTED]	67.65
<b>Total Charges</b>		<b>\$67.65</b>



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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: November 6, 2021  
Invoice #: 865460  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## REMITTANCE SUMMARY

For Professional Services Rendered Through October 31, 2021

Fees	\$2,706.00
Charges	\$67.65
<b>Total Invoice Amount</b>	<b>\$2,773.65</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: December 6, 2021  
Invoice #: 869665  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## INVOICE SUMMARY

For Professional Services Rendered Through November 30, 2021

Fees	\$5,412.00
Charges	\$135.30
<b>Total Invoice Amount</b>	<b>\$5,547.30</b>

---

### ELECTRONIC PAYMENTS (PREFERRED)

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# Brownstein

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: December 6, 2021  
 Invoice #: 869665  
 Client.Matter #: 061550.0001  
 Page 2

## FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
11/01/21	B. Herrema	[REDACTED]	1.70	615.00	1,045.50
11/09/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
11/16/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
11/17/21	B. Herrema	[REDACTED]	0.60	615.00	369.00
11/18/21	B. Herrema	[REDACTED]	1.10	615.00	676.50
11/19/21	B. Herrema	[REDACTED]	1.20	615.00	738.00
11/21/21	B. Herrema	[REDACTED]	2.20	615.00	1,353.00
11/22/21	B. Herrema	[REDACTED]	0.80	615.00	492.00
11/23/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
11/24/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
11/29/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
<b>Total Fees</b>			<b>8.80</b>		<b>\$5,412.00</b>

## FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	8.80	5,412.00	8.80	615.00	5,412.00
<b>Total Fees</b>	<b>8.80</b>	<b>\$5,412.00</b>	<b>8.80</b>		<b>\$5,412.00</b>

## CHARGE DETAIL

Date	Description	Amount
12/02/21	[REDACTED]	135.30
<b>Total Charges</b>		<b>\$135.30</b>

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Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: December 6, 2021  
Invoice #: 869665  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## REMITTANCE SUMMARY

For Professional Services Rendered Through November 30, 2021

Fees	\$5,412.00
Charges	\$135.30
<b>Total Invoice Amount</b>	<b>\$5,547.30</b>

---

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: January 13, 2022  
Invoice #: 873978  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## INVOICE SUMMARY

For Professional Services Rendered Through December 31, 2021

Fees	\$8,733.00
Charges	\$218.33
<b>Total Invoice Amount</b>	<b>\$8,951.33</b>

---

### ELECTRONIC PAYMENTS (PREFERRED)

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# Brownstein

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: January 13, 2022  
 Invoice #: 873978  
 Client.Matter #: 061550.0001  
 Page 2

## FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
12/01/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
12/03/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
12/05/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
12/06/21	B. Herrema	[REDACTED]	0.90	615.00	553.50
12/06/21	B. Herrema	[REDACTED]	1.30	615.00	799.50
12/07/21	B. Herrema	[REDACTED]	0.80	615.00	492.00
12/08/21	B. Herrema	[REDACTED]	0.60	615.00	369.00
12/09/21	B. Herrema	[REDACTED]	0.80	615.00	492.00
12/13/21	B. Herrema	[REDACTED]	0.50	615.00	307.50
12/14/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
12/15/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
12/16/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
12/17/21	B. Herrema	[REDACTED]	0.30	615.00	184.50
12/23/21	B. Herrema	[REDACTED]	0.20	615.00	123.00
12/27/21	B. Herrema	[REDACTED]	3.30	615.00	2,029.50
12/28/21	B. Herrema	[REDACTED]	3.10	615.00	1,906.50
12/30/21	B. Herrema	[REDACTED]	0.90	615.00	553.50
<b>Total Fees</b>			<b>14.20</b>		<b>\$8,733.00</b>

## FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	14.20	8,733.00	14.20	615.00	8,733.00
<b>Total Fees</b>	<b>14.20</b>	<b>\$8,733.00</b>	<b>14.20</b>		<b>\$8,733.00</b>

# Brownstein

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: January 13, 2022  
Invoice #: 873978  
Client.Matter #: 061550.0001  
Page 3

## CHARGE DETAIL

<b>Date</b>	<b>Description</b>	<b>Amount</b>
01/04/22		218.33
<b>Total Charges</b>		<b>\$218.33</b>

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3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: January 13, 2022  
Invoice #: 873978  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## REMITTANCE SUMMARY

For Professional Services Rendered Through December 31, 2021

Fees	\$8,733.00
Charges	\$218.33
<b>Total Invoice Amount</b>	<b>\$8,951.33</b>

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Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: February 16, 2022  
Invoice #: 878350  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## INVOICE SUMMARY

For Professional Services Rendered Through January 31, 2022

Fees	\$16,891.00
Charges	\$422.28
<b>Total Invoice Amount</b>	<b>\$17,313.28</b>

---

### ELECTRONIC PAYMENTS (PREFERRED)

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# Brownstein

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: February 16, 2022  
Invoice #: 878350  
Client.Matter #: 061550.0001  
Page 2

## FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
01/05/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
01/06/22	B. Herrema	[REDACTED]	0.60	635.00	381.00
01/07/22	B. Herrema	[REDACTED] [REDACTED]	1.00	635.00	635.00
01/08/22	B. Herrema	[REDACTED]	0.50	635.00	317.50
01/09/22	B. Herrema	[REDACTED]	2.90	635.00	1,841.50
01/10/22	B. Herrema	[REDACTED]	1.90	635.00	1,206.50
01/11/22	B. Herrema	[REDACTED]	0.40	635.00	254.00
01/13/22	B. Herrema	[REDACTED] [REDACTED]	0.70	635.00	444.50
01/14/22	B. Herrema	[REDACTED]	0.50	635.00	317.50
01/17/22	B. Herrema	[REDACTED]	0.80	635.00	508.00
01/18/22	B. Herrema	[REDACTED] [REDACTED] [REDACTED]	1.30	635.00	825.50
01/19/22	B. Herrema	[REDACTED] [REDACTED]	2.00	635.00	1,270.00
01/20/22	B. Herrema	[REDACTED]	2.40	635.00	1,524.00
01/21/22	B. Herrema	[REDACTED]	0.30	635.00	190.50
01/24/22	B. Herrema	[REDACTED] [REDACTED]	0.80	635.00	508.00
01/25/22	B. Herrema	[REDACTED] [REDACTED]	2.20	635.00	1,397.00
01/26/22	B. Herrema	[REDACTED] [REDACTED]	2.80	635.00	1,778.00
01/27/22	B. Herrema	[REDACTED] [REDACTED]	2.80	635.00	1,778.00
01/28/22	B. Herrema	[REDACTED] [REDACTED]	1.00	635.00	635.00
01/30/22	B. Herrema	[REDACTED]	0.40	635.00	254.00
01/31/22	B. Herrema	[REDACTED] [REDACTED] [REDACTED]	1.10	635.00	698.50

# Brownstein

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: February 16, 2022  
Invoice #: 878350  
Client.Matter #: 061550.0001  
Page 3

Date	Timekeeper	Description	Hours	Rate	Amount
<b>Total Fees</b>			<b>26.60</b>		<b>\$16,891.00</b>

## FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	26.60	16,891.00	26.60	635.00	16,891.00
<b>Total Fees</b>	<b>26.60</b>	<b>\$16,891.00</b>	<b>26.60</b>		<b>\$16,891.00</b>

## CHARGE DETAIL

Date	Description	Amount
02/02/22	[REDACTED]	422.28
<b>Total Charges</b>		<b>\$422.28</b>

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Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: February 16, 2022  
Invoice #: 878350  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## REMITTANCE SUMMARY

For Professional Services Rendered Through January 31, 2022

Fees	\$16,891.00
Charges	\$422.28
<b>Total Invoice Amount</b>	<b>\$17,313.28</b>

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Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: March 10, 2022  
Invoice #: 881311  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## INVOICE SUMMARY

For Professional Services Rendered Through February 28, 2022

Fees	\$55,410.00
Costs	\$1,762.45
Charges	\$1,385.25
<b>Total Invoice Amount</b>	<b>\$58,557.70</b>

---

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# Brownstein

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: March 10, 2022  
Invoice #: 881311  
Client.Matter #: 061550.0001  
Page 2

## FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
02/01/22	B. Herrema	[REDACTED]	1.40	635.00	889.00
02/02/22	B. Herrema	[REDACTED]	0.90	635.00	571.50
02/04/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
02/05/22	B. Herrema	[REDACTED]	2.30	635.00	1,460.50
02/06/22	B. Herrema	[REDACTED]	1.80	635.00	1,143.00
02/07/22	B. Herrema	[REDACTED]	3.50	635.00	2,222.50
02/08/22	B. Herrema	[REDACTED]	4.00	635.00	2,540.00
02/09/22	B. Herrema	[REDACTED]	4.40	635.00	2,794.00
02/10/22	B. Herrema	[REDACTED]	4.00	635.00	2,540.00
02/11/22	B. Herrema	[REDACTED]	6.80	635.00	4,318.00
02/12/22	B. Herrema	[REDACTED]	5.40	635.00	3,429.00
02/13/22	B. Herrema	[REDACTED]	8.00	635.00	5,080.00
02/14/22	B. Herrema	[REDACTED]	9.40	635.00	5,969.00
02/14/22	M. McKissick	[REDACTED]	0.60	395.00	237.00
02/15/22	B. Herrema	[REDACTED]	3.30	635.00	2,095.50
02/15/22	B. Herrema	[REDACTED]	9.50	635.00	6,032.50
02/15/22	M. McKissick	[REDACTED]	0.30	395.00	118.50
02/16/22	B. Herrema	[REDACTED]	10.40	635.00	6,604.00
02/17/22	B. Herrema	[REDACTED]	7.50	635.00	4,762.50
02/18/22	B. Herrema	[REDACTED]	2.80	635.00	1,778.00
02/22/22	B. Herrema	[REDACTED]	0.50	635.00	317.50

# Brownstein

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: March 10, 2022  
 Invoice #: 881311  
 Client.Matter #: 061550.0001

Date	Timekeeper	Description	Hours	Rate	Amount
02/23/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
02/25/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
02/28/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
<b>Total Fees</b>			<b>87.60</b>		<b>\$55,410.00</b>

### FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	86.70	55,054.50	86.70	635.00	55,054.50
Matthew J. McKissick	0.90	355.50	0.90	395.00	355.50
<b>Total Fees</b>	<b>87.60</b>	<b>\$55,410.00</b>	<b>87.60</b>		<b>\$55,410.00</b>

### COST DETAIL

Date	Cost Type	Description	Amount
02/13/22	Business Meals	[REDACTED]	35.14
02/13/22	Lodging	[REDACTED]	1,194.24
02/13/22	Mileage/Parking Expense	[REDACTED]	166.72
02/13/22	Mileage/Parking Expense	[REDACTED]	85.00
02/14/22	Mileage/Parking Expense	[REDACTED]	7.15
02/15/22	Business Meals	[REDACTED]	35.14
02/15/22	Mileage/Parking Expense	[REDACTED]	7.15
02/16/22	Business Meals	[REDACTED]	33.25
02/16/22	Mileage/Parking Expense	[REDACTED]	7.15
02/17/22	Mileage/Parking Expense	[REDACTED]	7.15
02/18/22	Mileage/Parking Expense	[REDACTED]	168.28
02/28/22	Research	[REDACTED]	16.08
<b>Total Costs</b>			<b>\$1,762.45</b>

# Brownstein

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

Invoice Date: March 10, 2022  
Invoice #: 881311  
Client.Matter #: 061550.0001  
Page 4

## COST SUMMARY

Description	Amount
[REDACTED]	103.53
[REDACTED]	1,194.24
[REDACTED]	448.60
[REDACTED]	16.08
<b>Total Costs</b>	<b>\$1,762.45</b>

## CHARGE DETAIL

Date	Description	Amount
03/02/22	[REDACTED]	1,385.25
<b>Total Charges</b>		<b>\$1,385.25</b>



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Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: March 10, 2022  
Invoice #: 881311  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## REMITTANCE SUMMARY

For Professional Services Rendered Through February 28, 2022

Fees	\$55,410.00
Costs	\$1,762.45
Charges	\$1,385.25
<b>Total Invoice Amount</b>	<b>\$58,557.70</b>

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[www.BHFS.com/WireInstructions](http://www.BHFS.com/WireInstructions)

### CHECK PAYMENTS (LOCKBOX)

Send to:  
Brownstein Hyatt Farber Schreck, LLP  
P.O. Box 172168  
Denver, CO 80217-2168

DO NOT MAIL PAYMENTS VIA CERTIFIED MAIL

186

JA\_002197

# Brownstein

Brownstein Hyatt Farber Schreck, LLP  
410 17th Street  
22nd Floor  
Denver, CO 80202  
Phone: 303-223-1100  
Facsimile: 303-223-1111

[http: www.bhfs.com](http://www.bhfs.com)

Coyote Springs Investment, LLC  
Attn: Emilia K. Cargill  
3100 State Route 168  
PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: April 18, 2022  
Invoice #: 886235  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## INVOICE SUMMARY

For Professional Services Rendered Through March 31, 2022

Fees	\$1,079.50
Charges	\$26.99
<b>Total Invoice Amount</b>	<b>\$1,106.49</b>

---

### ELECTRONIC PAYMENTS (PREFERRED)

For Electronic Payment Instructions,  
please visit the  
Brownstein website at:

[www.BHFS.com/WireInstructions](http://www.BHFS.com/WireInstructions)

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187

JA\_002198

# Brownstein

Client: Coyote Springs Investment, LLC  
 Matter: Nevada State Engineer

Invoice Date: April 18, 2022  
 Invoice #: 886235  
 Client.Matter #: 061550.0001  
 Page 2

## FEE DETAIL

Date	Timekeeper	Description	Hours	Rate	Amount
03/15/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
03/23/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
03/28/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
03/29/22	B. Herrema	[REDACTED]	0.20	635.00	127.00
03/30/22	B. Herrema	[REDACTED]	0.30	635.00	190.50
03/31/22	B. Herrema	[REDACTED]	0.60	635.00	381.00
<b>Total Fees</b>			<b>1.70</b>		<b>\$1,079.50</b>

## FEE SUMMARY

Timekeeper	Worked Hours	Worked Amount	Billed Hours	Billed Rate	Billed Amount
Bradley J. Herrema	1.70	1,079.50	1.70	635.00	1,079.50
<b>Total Fees</b>	<b>1.70</b>	<b>\$1,079.50</b>	<b>1.70</b>		<b>\$1,079.50</b>

## CHARGE DETAIL

Date	Description	Amount
04/04/22	[REDACTED]	26.99
<b>Total Charges</b>		<b>\$26.99</b>

# Brownstein

Brownstein Hyatt Farber Schreck, LLP  
410 17th Street  
22nd Floor  
Denver, CO 80202  
Phone: 303-223-1100  
Facsimile: 303-223-1111

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Coyote Springs Investment, LLC  
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PO Box 37010  
Coyote Springs, NV 89037

Invoice Date: April 18, 2022  
Invoice #: 886235  
Client.Matter #: 061550.0001

**Payment Due Upon Receipt**

Client: Coyote Springs Investment, LLC  
Matter: Nevada State Engineer

---

## REMITTANCE SUMMARY

For Professional Services Rendered Through March 31, 2022

Fees	\$1,079.50
Charges	\$26.99
<b>Total Invoice Amount</b>	<b>\$1,106.49</b>

---

### ELECTRONIC PAYMENTS (PREFERRED)

For Electronic Payment Instructions,  
please visit the  
Brownstein website at:

[www.BHFS.com/WireInstructions](http://www.BHFS.com/WireInstructions)

### CHECK PAYMENTS (LOCKBOX)

Send to:  
Brownstein Hyatt Farber Schreck, LLP  
P.O. Box 172168  
Denver, CO 80217-2168

DO NOT MAIL PAYMENTS VIA CERTIFIED MAIL

# Exhibit 7(b)



# Bradley J. Herrema

## SHAREHOLDER

805.882.1493 | BHerrema@bhfs.com

Los Angeles, Reno, Santa Barbara

## PRACTICES

Natural Resources

Public Agency & Administration Law

Public Lands

Water

Mining

## INDUSTRIES

Hospitality, Resort & Recreation

Infrastructure

Water

## EDUCATION

JD, 2003, University of Michigan

BA, 2000, Hope College

## ADMISSIONS

Nevada

California

U.S. Supreme Court

U.S. Court of Appeals, Ninth Circuit

## AWARDS

*Best Lawyers in America, 2020-2022*

*Thriving in Their 40s, Los Angeles Business Journal, 2020*

*Young Water Professionals Award, Water & Waste Digest, 2017*

*Top 40 Under 40, Pacific Coast Business Times, 2008*

Nearly 20 years of experience handling the most significant and complex water matters in California, Nevada and across the west. Proven litigation experience. Business-savvy approach to water supply strategy and groundwater management.

Whether developing groundwater management strategies, identifying opportunities for water and agricultural investments, defending against water rights challenges, or securing industrial and recreational water supplies, Brad understands how to synthesize clients' unique business needs with market realities and key stakeholders' concerns in mind. Brad serves as special water counsel to private corporations, private equity funds, renewable energy developers, water purveyors, resorts and golf courses, mining companies, investor-owned utilities and landowners developing innovative strategies to address issues such as water supply planning, water right permitting and adjudications, and environmental concerns. Skilled at navigating multi-party dynamics, Brad excels at developing water strategies and implementation that proactively mitigate potential issues. When needed, his experience in adjudications shows his comfort in front of a court.

A trailblazer in groundwater matters, Brad serves as general counsel to the Chino Basin Watermaster, which oversees the implementation of a four-decade old groundwater right adjudication in the Southern California Inland Empire. Actively engaged in the implementation of California's Sustainable Groundwater Management Act (SGMA), he helps clients develop property portfolio strategies to manage land and water assets. Brad leads the firm's California Water practice group and is a director emeritus of the Groundwater Resources Association of California after serving as director for 11 years.

## REPRESENTATIVE MATTERS

### WATER SUPPLY STRATEGY

- Nevada water rights and supply counsel to MGM Resorts International and MGM Growth Properties LLC in connection with forming a joint venture with Blackstone Real Estate

Income Trust to acquire the Las Vegas real estate assets of the MGM Grand and Mandalay Bay for \$4.6 billion.

- Water supply and rights counsel to international mining company operating in western Nevada. Matter includes water rights disputes at administrative agency, district court, and state Supreme Court levels, with competing mine interests over critical supplies essential to the extraction and concentration processes.
- Negotiated a settlement agreement with the Sacramento Municipal Utility District (SMUD) on behalf of El Dorado County Water Agency and El Dorado Water & Power Authority related to the FERC re-licensing of SMUD's Upper American River hydroelectric project

### **LITIGATION**

- On behalf of California Building Industry Association, obtained invalidation of Numeric Effluent Limits (NEL) in State Water Resources Control Board NPDES Construction General Permit for stormwater discharges. The Sacramento Superior Court invalidated NELs for turbidity and pH based on the Board's failure to support the NELs with sufficient evidence establishing that the NELs could be achieved, and its failure to undertake the necessary control technology analysis under the Clean Water Act for a NPDES permit.
- Successfully delivered an opinion on an issue of first impression—whether a watermaster appointed by the trial court to implement and administer a water rights decree has the right to appeal the trial court's orders on the grounds of disagreement with the court's interpretation, and increased administrative burdens—the costs of which were passed through to owners of decreed water rights. California Court of Appeal agreed, holding that the watermaster was not aggrieved by the trial court's interpretation of the water users' rights under the decree and lacked the right to appeal. This holding may also be applicable in the dozens of stream systems and groundwater basins in which court-appointed watermasters administer decrees or judgments allocating water rights.
- Counsel to various clients in several groundwater adjudications, including Santa Maria, Antelope Valley, Ventura River, Oxnard Plain and Pleasant Valley, representing long-time water users, landowners, water districts, and water companies.
- Part of a Brownstein team that successfully negotiated and implemented a complex, multi-agency settlement of a water rights complaint alleging violations of the public trust and California Fish and Game Code section 5937 (now California Fish and Wildlife), on behalf of one of California's largest wholesale water providers. The settlement provides a

perpetual, multimillion-dollar program for the re-operation of numerous dams and associated water supply facilities on three watersheds, including flow enhancements, barrier removals and habitat restoration.

- In two separate cases approved changes to Carson River water rights, pursuant to *United States v. Alpine Land & Reservoir Company*. Both cases included approvals to points of diversion, manner of use and place of use for decreed water rights.
- Represents a leading land development company in litigation regarding a determination by the Nevada State Engineer that limited our client's pumping allocation. Successfully petitioned the Nevada State Engineer's order, which was recently vacated after judicial review. Our client's pumping allocation and priority of water rights will remain unchanged following this decision.
- Prosecute water right applications with the State Water Resources Control Board for supplemental water to meet water supply demands.

#### **WATER INVESTMENT**

- Water supply and water rights due diligence counsel to high-value farmland, ranch and agricultural systems investment and operations company.
- Counsel to differentiated water resource investment and development company operating throughout the western United States. Counsel includes due diligence and water rights evaluation in potential acquisitions and defense of water supply rights in state administrative agency and court proceedings.

#### **INSIGHTS & PUBLICATIONS**

- CA Court of Appeal: Watermaster Has No Right to Appeal Trial Court Orders on Water Rights Decrees
- California Water Update, Speaker, Annual Meeting, California State Club Association, November 11, 2021
- Navigating the Effect of Droughts, Speaker, Strategies Summit, Golf Inc., October 27, 2021
- The Green Energy Domestic Mineral Supply Chain Paradox, Co-author, Nevada Bar Association *Nevada Lawyer*, October 2021
- SGMA Implementation and Legal Challenges, Speaker, Fourth Annual GSA Summit, Groundwater Resources Association of California, June 9, 2021
- GRA/CGC 2021 Groundwater Law and Legislation Forum, Speaker, Groundwater Resources Association, March 24, 2021



- 3rd Annual Western Groundwater Congress, Speaker, 3rd Annual Western Groundwater Congress, Groundwater Resources Association, September 14-17, 2020
- Groundwater Resources Association 3rd Annual Western Groundwater Congress, Co-Speaker/Moderator, Groundwater Resources Association, September 14, 2020
- Monthly Water Use Reporting Requirements Adopted by SWRCB
- Hot Topics in Groundwater Law, Moderator, Groundwater Resources Association of California Second Annual Western Groundwater Congress, September 18, 2019
- SGMA Status and Forecast, Moderator, GRA/CGC 2019 Groundwater Law and Legislation Forum, Sacramento, CA, March 27, 2019
- Understanding Your Club's Water Supply
- What the Water Conservation Bills Mean for California's Water Suppliers: Reporting and Increased Data Collection as a Way of Life
- Don't be left high & dry — consider water supplies before buying property
- Where There's Smoke There's Water: THE CONUNDRUM OF CANNABIS FARMING IN CALIFORNIA WITH FEDERAL PROJECT WATER
- California's Precedent-Setting Legislation Recognizing Human Right to Water in Action
- Three Months and Counting: Preparing for California's New Industrial Storm Water Permit
- Water Quality and Water Supply Issues, Paso Robles Wine Alliance Seminar, August 6, 2009

# Exhibit 7(c)



# Matthew J. McKissick

## ASSOCIATE

702.464.7054 | mmckissick@bhfs.com  
Las Vegas

A dynamic intellectual property attorney, Matthew McKissick draws on deep scientific roots and a thorough grasp of technical concepts. He offers a unique perspective, combining real-world experience as a scientist with his love for art, music and entertainment.

Matthew focuses on brand management and trademark protection, assisting clients with comprehensive search and clearance, prosecution, maintenance and renewal. On trademark enforcement, he advises on cease and desist letters, coexistence agreements, e-commerce take-down requests, domain name disputes, Trademark Trial and Appeal Board proceedings, and federal and state litigation. He also provides copyright counseling involving registration, maintenance and enforcement.

Matthew also helps clients meet their current and future water supply needs, providing assistance through all stages of the water rights permitting and adjudication process as well as performing water rights due diligence reviews in connection to mergers and acquisitions. A former hydrologist, he understands the vital role that water plays to many businesses.

During law school, Matthew was a staff member of the Nevada Law Journal, a legal intern for the Las Vegas Valley Water District and an extern for Judges Jennifer A. Dorsey and Andrew P. Gordon at the U.S. District Court for the District of Nevada. Before becoming an attorney, Matthew was an environmental consultant, overseeing numerous projects related to renewable energy, mining and transportation.

## PRACTICES

Intellectual Property  
Natural Resources

## EDUCATION

JD, 2019, William S. Boyd School of Law

BS, 2010, University of Nevada

## ADMISSIONS

Nevada

## Representative Matters

- Nevada counsel to MGM Resorts International and MGM Growth Properties LLC in connection with forming a joint venture with Blackstone Real Estate Income Trust to acquire the Las Vegas real estate assets of the MGM Grand and Mandalay Bay for \$4.6 billion. Concurrent with the acquisition, MGM Resorts entered into a master lease to lease from the joint venture and operate both properties.
- Nevada counsel to MGM Resorts International in Blackstone Real Estate Income Trust's \$4.2 billion acquisition of

Bellagio real estate from MGM and lease back to MGM. This sale has been said to be the single largest resort sale in Las Vegas' history.

- Successfully defended the revolutionary speaker company Auratone, LLC against allegations that Auratone had abandoned its famous trademark AURATONE. In the 1950s, Auratone began selling studio monitors for recording artists and music producers. Over the decades, Auratone achieved widespread recognition, becoming the go-to speaker for artists from Quincy Jones and Kenny Rogers to Adele and Lady Gaga. Most notably, Auratone's speakers were used to record the highest-selling album of all time—Michael Jackson's Thriller. After a foreign-based company began using the mark AURATONE to sell its own speakers, alleging that Auratone had abandoned its trademark, Brownstein successfully argued that Auratone retained its trademark rights since its inception, despite the lapse of its federal trademark registration in the early 2000s following the death of the company's founder.
- Retained by the popular stock-trading platform Robinhood to defend it against a federal lawsuit brought by O'Shea Jackson, the 90s-era rapper professionally known as "Ice Cube." The rapper-turned-actor alleged that Robinhood impermissibly used Ice Cube's image and likeness by incorporating an image from the 2007 film "Are We Done Yet?" together with the caption "correct yourself before you wreck yourself"—a play on the oft-parodied slang phrase "check yourself before you wreck yourself"—in Robinhood's monthly editorial newsletter about stock market corrections. Robinhood defeated Ice Cube's false endorsement claim under the Lanham Act on the second try.

## Insights & Publications

- [Brand Management During a Pandemic: Preserving Your Trademark Rights While Temporarily Shuttered Due to COVID-19](#)
- [Do COVID-19 Closures Reset the Clock for Trademark Incontestability?](#)

## News

- [Brownstein Attorneys Recognized as Vegas Inc's 2021 Top Lawyers](#)

- Twenty Brownstein Attorneys Recognized as Vegas Inc's 2020 Top Lawyers

## Awards

- Vegas Inc Top Lawyers, Environmental & Natural Resources, 2020-2021
- LaFrance-Trimble Award for Outstanding Graduate in Intellectual Property, William S. Boyd School of Law, 2019
- CALI Award (for the highest grade in the class):  
Lawyering Process II (legal research and writing), 2017
- CALI Award: Copyright, 2017
- CALI Award: Patents, Trademarks, and Trade Secrets, 2018
- CALI Award: IP Licensing Practicum, 2019
- Winner of the Anti-Defamation League Summer Associate Program's Legal Memo Competition, 2018

# Exhibit 8

## ***Emilia K. Cargill, General Counsel***

Wingfield Nevada Group • Coyote Springs  
3100 State Route 168 • PO Box 37010  
Coyote Springs, Nevada 89037  
emilia.cargill@wingfieldnevadagroup.com

### **Wingfield Nevada Group Management Company**

**Coyote Springs, Nev., May 2006 – present**

**Chief Operating Officer, Sr. Vice President, & General Counsel for all entities, 2009 to Present**

**General Counsel, Real Estate, Coyote Springs, May 2006 to 2009**

Initially hired to be general counsel for real estate matters for Coyote Springs (a 43,000 acre master plan community with contiguous property in two counties in Southern Nevada, 50 miles north of downtown Las Vegas, and entitled for 149,000 residential dwelling units, and other commercial and industrial property and uses).

Negotiate, draft, facilitate, due diligence, and administration of contracts with key parties involved at the Coyote Springs project: Wells Fargo Bank, Pardee Homes of Nevada, The Professional Golf Association of America, Nicklaus Design, Nellis Air Force Base, Clark County, Lincoln County, Lincoln County Telephone System, Lincoln County Power District, Las Vegas Valley Water District, Clark County Water Reclamation District, and other non-public businesses.

Negotiate and draft ground lease with international solar company for an 8,000 acre renewable energy plant at Coyote Springs to generate over 900-megawatts of electricity. Lease breached. Managed outside law firm handling the lease breach which resulted in a Verdict in our favor (Plaintiff's favor), which then was appealed and later subject to an out of court confidential settlement.

Political and legal matters for Clark and Lincoln counties that include: development agreements, planned-unit developments, specific plans, and general improvement districts. *Including:*

- Negotiation with Clark County to form the Clark County – Coyote Springs Water Resources General Improvement District (Fall 2006), its service plan and related operations agreement.

- 125 acres re-entitled as a “tourist commercial” zone which includes a 50-acre “gaming enterprise district” at its core (Fall 2009).

- Re-organization and merger of two general improvement districts in Lincoln County to form a single consolidated district – the Coyote Springs Lincoln County Consolidated General Improvement District (Fall 2009).

- Modified land uses in the Lincoln County Coyote Springs Planned Unit Development Code (Title 15) to accommodate unlimited height renewable energy tower-technology, and related development agreement negotiation and approval (January 2010).

Knowledge of & Compliance with various Federal, State and Local Acts and Laws such as: Army Corp of Engineers, US Fish and Wildlife Service many acts and programs, H.U.D. Interstate Land Sales Act, Bureau of Land Management many acts and programs.

Active participant in the 2006-Memorandum-of-Agreement (“2006-MOA”) Biological Advisory Committee, and oversee company’s participation in the Technical Advisory Committee. Manage the company’s involvement in the 2006-MOA. These committees are key advisors to the parties to the 2006-MOA, including, Coyote Springs Investment LLC.

Golf course legal and licensing matters, golf course design agreements, negotiate and facilitate the transition of management of the Company's three golf courses to Troon Golf Management Company.

Became an expert on over-flight matters, aviation easements, sub and super-sonic fly areas, private property height issues, public airspace, national airspace, military operation areas, the Federal Aviation Administration, matters related to "notices of proposed construction".

Negotiate and manage contracts with outside business and legal consultants, including reductions in billings, fee structures, fees once billed, and discounts for prompt payment.

Day-to-day operational, legal and business questions from employees and fellow-executives, and interaction and interface with the owners / managers for operational issues.

Hiring, disciplining, policy making, firing, benefit review, employees, including, negotiating benefits annually and benefit management, employment handbooks, payroll platforms, etc.

Learned complexities of Coyote Springs Investment's water rights, and other Nevada hydrographic basins the Owners' companies operate, and became extremely knowledgeable, an expert in Nevada water law matters, in addition to water law administrative procedures and related litigation.

Merged two general improvement districts for the benefit of Coyote Springs in Lincoln County, Nevada, and then several years later negotiated with Lincoln County to dissolve the entities and for the company owner to have all unspent funds refunded to the company.

Research and interview possible litigators for various projects in Nevada, specialties such as water law litigation, trust and estate matters, condemnation, and make recommendations to the company owner as to who to retain. Negotiate engagement letters and fee structures and attorney billings.

Property Tax Appeals in the County and at the State Board of Equalization. Achieved large reduction for 2021-22 tax year at Nev. State Board of Equalization. Current pending appeal at State Board Equalization for 2022-23 tax year.

Participate, am one of several counsel of record, in all levels of the water workshops, 2 week long hearing, public meetings and oral and written testimony, expert reports, litigation related to and arising from Nevada State Engineer Orders 1303 and 1309, including, 3 Petitions for Judicial Review filed in Clark and Lincoln County. Included multiple public workshops, information presented, reports filed, a 2-week hearing in Carson City, Nevada, and a 4-day trial in Clark County, Nevada District Court, in which Petitioners (including Coyote Springs Investment LLC) were successful and prevailed to defeat Nevada State Engineer Order 1309.

Sought the approval and passage of legislative to effectuate a permit issued to Coyote Springs Investment LLC from the Bureau of Land Management, US Fish and Wildlife Service, and Army Corp of Engineers which authorized new patents to be issued. Multi-year process, began in 2010 and successfully concluded with the passage of Senate Bill 47 (116<sup>th</sup> Congress), called the John D. Dingell, Jr., Conservation, Management, and Recreation Act of the 116<sup>th</sup> Congress (2019-2020), Public Law No. 116-9 and signed by the President on March 12, 2019. Worked with and oversaw WA DC attorney lobbyists from 2010 through bill passage. Prior to its passage, this bill had several other forms, starting in the 111<sup>th</sup> Session as HR 762, in the 112<sup>th</sup> Session as S.729 and HR 1400, in the 114<sup>th</sup> Session as HR 2307 and S.1319, merged into HR1815, and in the 115<sup>th</sup> Session as HR 2374 and HR 6299 and S.1046.



## **PRIOR LAW EXPERIENCE**

### **Lionel Sawyer and Collins, Las Vegas, Nevada**

**January 1998 to May 2006**

*Partner* (Jan. 2005 – May 2006)  
*Associate* (Jan. 1998 – Jan. 2005)  
*Summer Clerk* (May 1997 to August 1997)

#### Real Estate and Corporate Law Department

Handled all levels of real estate purchase and sale transactions, loan documents and related due diligence, and corporate opinion letters, and credit facility closings for business and real estate transactions ranging to \$500,000,000. Including, apartments, hotel and casino, condominium-hotel transactions, raw land, mezzanine financing, and other joint venture land transactions.

Assist clients with real property development, including re-entitlement, condominium conversions, preparation of home-owner association documents, CC&R's, public offering statements, purchase agreements, bylaws, disclosures and documentation to comply with state and federal registration/exemption requirements.

Commercial leasing transactions, including the negotiation, drafting and finalizing retail-shop leases in a luxury shopping mall attached as airspace to a casino on Las Vegas Boulevard.

Joint venture transactions for business, casino and developer clients including joint venture transactions with institutions such as Lehman Brothers, Prudential, Northwestern Mutual, insurance companies, lenders, investors of all types, and "hard-money" investments and lenders.

## **Employment During Law School**

Clark County, Nev. District Attorney, Intern-Civil Division, August 1997 - December 1997

Lionel Sawyer & Collins, Summer Clerk, May 1997 – September 1997

Law Offices of Mick Meagher, Solana Beach, California, January 1997 – May 1997

California Western School of Law, San Diego, California, May 1996 – May 1997

- Note taker for disabled students through an ADA program, and Legal Skills Writing Class Honors Instructor (Fall 1996 trimester).

## **Pre-Law School Employment**

Nevada Dance Theatre, Las Vegas, Nevada, August 1992 - August 1995.

- Assistant to Nancy Houssels, Chairman, for annual and major donor fundraising.

Grove Mueller & Swank PC (fka Faler, Grove & Mueller), Salem, Oregon, Sept. 1989-July 1992.

- Statistical Typist: financial statements, audit results and tax returns.

## **EDUCATION**

California Western School of Law, ABA/AALS, San Diego, California

- Juris Doctor, December 1997, Cum Laude
- Merit Scholarship awarded Summer 1996 for remaining semesters in school
- Dean's list Spring, Summer and Fall 1996, and Spring and Fall 1997
- American Jurisprudence Awards - Legal Skills II Spring 1996
- Academic Achievement Award - Copyright Law Spring 1997
- Academic Achievement Award - Condo, Planned Development and Co-Ops, Spring 1997

University of Washington, Seattle, Washington, Bachelor of Arts, English Literature, August 1989

### **STATE BAR LICENSES**

Nevada (1997), Active, #6493

California (1998), Active, #196358

### **PUBLICATIONS**

*Bishop & Zucker on Corporations & LLC's*, contributing writer and co-editor, published by Lionel Sawyer & Collins (2010)

*Doing Business in Nevada*, contributing writer and co-editor, 2003 edition, and 2005 edition, published by Lionel Sawyer & Collins

*2001 Nevada Legislature Changes to Business Organizations Law*, a 2-part article published in the Nevada Lawyer, Spring 2002 (co-written)

*State-By-State Leasing Guide*, Nevada law portion, published by Aspen (1998-2006)

American College of Mortgage Attorneys publication, Nevada law portion (1998-2006)

### **MEMBERSHIPS / ORGANIZATIONS / BOARDS**

Nevada and California State Bars

Clark County Bar Association

Southern Nevada Association of Women Attorneys

Association of Corporate Counsel

# Exhibit 8(a)

May 3, 2022

Legal Fees - Emilia K. Cargill  
Nevada State Bar #6493

See attached CV and Description of Experience  
Licensed to practice in Nevada since March 3, 1998  
Billable Hourly rate calculated at \$550 per hour

A significant amount of my time every week has been spent on matters related to Nevada State Engineer Order 1309 since the date it was issued on June 15, 2020.

I calculated the percentage of my hours per year using a standard law firm 1800 hours billable per year, which is 150 hours per month. This is a conservative estimate, as I work six days a week, and in excess of 40 hours per week.

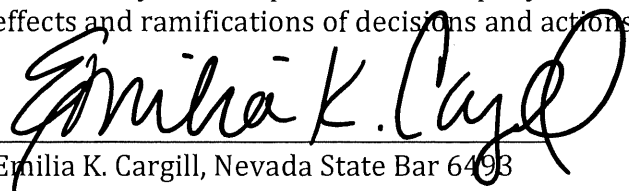
These calculations are for the period of Order 1309 (June 15, 2020) through the Courtroom proceedings in front of Judge Bita Yeager in February 2022.

Assume 1800 hours billed per year

1800 hours/year  
150 hours/month  
\$ 550.00 billable rate

Year	(Percentage Per Year) Amount of Time Dedicated	(Period of time) # Months Per Year	Total Hours in Period	Total # Hours Dedicated based on % Per Year	\$550 Hourly Rate
2020	10%	6	900	90	\$ 49,500.00
2021	12%	12	1800	216	\$ 118,800.00
2022	35%	2	300	105	\$ 57,750.00
<b>TOTAL VALUE EMILIA CARGILL HOURS SPENT ON THIS MATTER</b>					<b>\$ 226,050.00</b>

The type of work performed including, without limitation, review of all outside counsel work product, participate in strategy and drafting discussions, actively participate in drafting, reviewing pleadings and other motions, orders, and responses. Attend hearings, workshops, all court hearings, and other meetings related to Order 1309. Arrange for consultants and experts and review findings, reports, and strategize inclusion in the case. Discuss all aspects of case and status of case, pleadings, legal research with co-counsel and company owners. I actively engage in this litigation matter and participate actively with the attorneys to best protect the company's interests in this important case and all of the effects and ramifications of decisions and actions that come out of Order 1309.

 5/3/2022  
Emilia K. Cargill, Nevada State Bar 6493 Date

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCF 5(b), I hereby certify that I am an employee of Robison,  
3 Sharp, Sullivan & Brust, and that I served, or caused to be served, a true and correct  
4 copy of the foregoing **APPENDIX OF EXHIBITS TO COYOTE SPRINGS  
INVESTMENTS, LLC'S MOTION FOR ATTORNEY FEES** to be served on all parties to  
this action by:

5 \_\_\_\_\_ placing an original or true copy thereof in a sealed, postage prepaid, envelope in  
6 the

United States mail at Reno, Nevada, addressed to:

7   X   emailing an attached Adobe Acrobat PDF version of the document to the email  
8 addresses below/facsimile (fax) and/or E-Filing pursuant to Section IV of the  
9 District of Nevada Electronic Filing Procedures:

10 PAUL G. TAGGART, ESQ.  
11 TIMOTHY D. O'CONNOR, ESQ.  
12 Taggart & Taggart, Ltd.  
13 108 North Minnesota Street  
14 Carson City, NV 89703  
15 Email: paul@legaltnt.com; tim@legaltnt.com  
16 Attorneys for LVVWD and SNWA

17 STEVEN C. ANDERSON, ESQ.  
18 Las Vegas Valley Water District  
19 1001 S. Valley View Blvd.  
20 Las Vegas, NV 89153  
21 Email: Sc.anderson@lvvwd.com  
22 Attorneys for LVVWD and SNWA

23 JAMES N. BOLOTIN, ESQ.  
24 LAENA ST-JULES, ESQ.  
25 KIEL B. IRELAND, ESQ.  
26 Office of the Attorney General  
27 100 North Carson  
28 Carson City, NV 89701  
29 Email: jbolotin@ag.nv.gov; lstjules@ag.nv.gov; kireland@ag.nv.gov  
30 Attorneys for Respondent State Engineer

31 BRADLEY J. HERREMA, ESQ.  
32 BROWNSTEIN HYATT FARBER SCHRECK, LLP  
33 100 North City Parkway, Suite 1600  
34 Las Vegas, NV 89106  
35 Email: bherrema@bhfs.com  
36 Attorneys for Coyote Springs Investment, LLC

37 WILLIAM L. COULTHARD, ESQ.  
38 COULTHARD LAW  
39 840 South Ranch Drive, #4-627  
40 Las Vegas, NV 89106  
41 Email: wlc@coulthardlaw.com  
42 Attorneys for Coyote Springs Investment, LLC

43 EMILIA K. CARGILL, ESQ.  
44 3100 State Route 168

1 P.O. Box 37010  
2 Coyote Springs, NV 89037  
3 Email: emilia.cargill@wingfieldnevadagroup.com  
4 *Attorneys for Coyote Springs Investment, LLC*  
5 GREGORY H. MORRISON, ESQ.  
6 Parson Behle & Latimer  
7 50 West Liberty Street, Suite 750  
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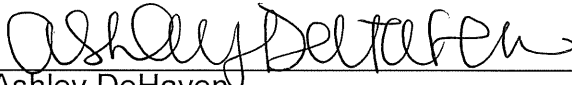
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