

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

CITY OF FERNLEY, NEVADA, a  
Nevada municipal corporation,

Appellant,

vs.

THE STATE OF NEVADA ex rel.  
DEPARTMENT OF TAXATION;  
THE HONORABLE DAN  
SCHWARTZ, in his official capacity  
as TREASURER OF THE STATE OF  
NEVADA; and THE LEGISLATURE  
OF THE STATE OF NEVADA,

Respondents.

Supreme Court No.: 66851

District Court Case No.: 12 OC 00168 1B

**JOINT APPENDIX**

**VOLUME 14 PART 4**

Filed By:

Joshua J. Hicks, Esq.  
Nevada Bar No. 6678  
BROWNSTEIN HYATT  
FARBER SCHRECK, LLP  
50 West Liberty Street, Suite 1030  
Reno, Nevada 89501  
Telephone: (775) 622-9450  
Email: [jhicks@bhfs.com](mailto:jhicks@bhfs.com)

*Attorneys for Appellant City of Fernley,  
Nevada*

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

Volume Number	Document	Filed By	Date	Bates Stamp Number
1	Affidavit of Service Taxation	City of Fernley	07/02/12	17
1	Affidavit of Service Treasurer	City of Fernley	06/20/12	13-16
23	Amended Memorandum of Costs and Disbursements	State of Nevada/Dept Taxation	10/09/15	4058-4177
7	Answer	State of Nevada/Dept Tax/ Treasurer	02/01/13	1384-1389
7	Answer to Plaintiff's Complaint	Nevada Legislature	01/29/13	1378-1383
23	Case Appeal Statement	City of Fernley	11/07/14	4208-4212
1	Complaint	City of Fernley	06/06/12	1-12
21	Defendant Nevada Legislature's Reply in Support of its Motion for Summary Judgment	Nevada Legislature	07/25/14	3747-3768
21	Defendant's Opposition to Motion to Retax Costs and Reply to Opposition to Motion for Costs	State of Nevada/Dept Taxation	10/03/14	3863-3928
22	Defendant's Opposition to Motion to Retax Costs and Reply to Opposition to Motion for Costs (Cont.)	State of Nevada/Dept Taxation	10/03/14	3929-3947
1	Exhibits to Joinder in Motion to Dismiss	Nevada Legislature	08/16/12	104-220
2	Exhibits to Joinder in Motion to Dismiss (Cont.)	Nevada Legislature	08/16/12	221-332
1	Joinder in Motion to Dismiss	Nevada Legislature	08/16/12	62-103
7	Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	Nevada Legislature	05/06/14	1421-1423
21	Memorandum of Costs and Disbursements	State of Nevada/Dept Taxation	09/19/14	3788-3793
21	Motion for Costs	State of Nevada/Dept Taxation	09/19/14	3776-3788
12	Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order	City of Fernley	06/18/14	2005-2045
7	Motion for Summary Judgment	City of Fernley	06/13/14	1458-1512
8	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1513-1732
9	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1733-1916
10	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1917-1948
11	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1949-2004
1	Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	08/03/12	41-58
1	Motion to Intervene	Nevada Legislature	08/03/12	18-40
21	Motion to Retax Costs and Opposition to Motion for Costs	City of Fernley	09/24/14	3794-3845
7	Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	05/05/14	1414-1420
7	Nevada Department of Taxation and Nevada Treasurer's Reply to Response to Renewal of Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	05/23/14	1433-1437
12	Nevada Department of Taxation's Opposition to Plaintiff's Motion for Summary Judgment	State of Nevada/Dept Taxation	07/11/14	2053-2224
13	Nevada Department of Taxation's Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	State of Nevada/Dept Taxation	07/11/14	2225-2353

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

<b>Volume Number</b>	<b>Document</b>	<b>Filed By</b>	<b>Date</b>	<b>Bates Stamp Number</b>
23	Notice of Appeal	City of Fernley	11/07/14	4205-4207
22	Notice of Entry of Order	Nevada Legislature	10/08/14	4001-4057
23	Notice of Entry of Order	State of Nevada/Dept	10/17/14	4195-4204
7	Notice of Entry of Order Denying City of Fernley's Motion for Reconsideration of Order Dated November 13, 2012	State of Nevada/Dept Tax/ Treasurer	12/19/12	1364-1370
7	Notice of Entry of Order Granting A Continuance to Complete Discovery	City of Fernley	10/19/12	1344-1350
3	Notice of Entry of Order Granting Nevada Legislature's Motion to Intervene	Nevada Legislature	09/04/12	651-657
7	Notice of Entry of Order on Defendant's Motion for Extensions of Time to File Answer	State of Nevada/Dept Tax/ Treasurer	11/15/12	1354-1360
1	Notice of Non-Opposition to Legislature's Motion to Intervene	State of Nevada/Dept Tax/ Treasurer	08/06/12	59-61
2	Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP 56(F)	City of Fernley	08/20/12	331-441
3	Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP 56(F) (Cont.)	City of Fernley	08/20/12	442-625
2	Opposition to Motion to Nevada Legislature's Motion to Intervene	City of Fernley	08/20/12	324-330
13	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	City of Fernley	07/11/14	2354-2445
14	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2446-2665
15	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2666-2819
16	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2820-2851
17	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2852-2899
4	Opposition to Nevada Legislature's Joinder in Motion to Dismiss	City of Fernley	09/28/12	662-881
5	Opposition to Nevada Legislature's Joinder in Motion to Dismiss (Cont.)	City of Fernley	09/28/12	882-1101
6	Opposition to Nevada Legislature's Joinder in Motion to Dismiss (Cont.)	City of Fernley	09/28/12	1102-1316
17	Opposition to Nevada Legislature's Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	City of Fernley	07/11/14	2900-2941
20	Opposition to Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order	Nevada Legislature	07/11/14	3586-3582

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

Volume Number	Document	Filed By	Date	Bates Stamp Number
12	Opposition to Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order and Countermotion for Order Dismissing Nevada Department of Taxation	State of Nevada/Dept Tax/ Treasurer	07/11/14	2049-2052
17	Opposition to Plaintiff's Motion for Summary Judgment	Nevada Legislature	07/11/14	2942-3071
18	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3072-3292
19	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3292-3512
20	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3515-3567
7	Order (Converting Motion to Dismiss to Motion for Summary Judgment, Setting Briefing Schedule and Dismissing Treasurer)	First Judicial District Court	06/06/14	1451-1457
22	Order and Judgment	First Judicial District Court	10/06/14	3948-4000
7	Order Denying City of Fernley's Motion for Reconsideration of Order Dated November 13, 2012	First Judicial District Court	12/17/12	1361-1363
7	Order Granting A Continuance to Complete Discovery	First Judicial District Court	10/15/12	1341-1343
7	Order Granting in Part and Denying in Part Petition for Writ of Mandamus	Nevada Supreme Court	01/25/13	1373-1377
23	Order Granting Nevada Department of Taxation's Motion for Costs	First Judicial District Court	10/15/14	4190-4194
3	Order Granting Nevada Legislature's Motion to Intervene	First Judicial District Court	08/30/12	648-650
7	Order on Defendant's Motion for Extensions of Time to File Answer	First Judicial District Court	11/13/12	1351-1353
7	Order Pursuant to Writ of Mandamus	First Judicial District Court	02/22/13	1390-1392
21	Order Vacating Trial	First Judicial District Court	09/03/14	3773-3775
23	Plaintiff's Motion to Strike, or Alternatively, Motion to Retax Costs	City of Fernley	10/14/14	4178-4189
21	Plaintiff's Objections to Nevada Legislature's Proposed Order and Request to Submit Proposed Order and Judgment	City of Fernley	10/02/14	3846-3862
7	Pretrial Order	First Judicial District Court	10/10/13	1393-1399
7	Reply Concerning Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	Nevada Legislature	05/27/14	1438-1450
7	Reply in Support of Joinder in Motion to Dismiss	Nevada Legislature	10/08/12	1317-1340
3	Reply in Support of Motion to Intervene	Nevada Legislature	08/24/12	626-635
21	Reply in Support of Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order as to Defendant Nevada Legislature	City of Fernley	07/25/14	3709-3746

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

<b>Volume Number</b>	<b>Document</b>	<b>Filed By</b>	<b>Date</b>	<b>Bates Stamp Number</b>
20	Reply in Support of Plaintiff's Motion for Summary Judgment Against Defendants Nevada Department of Taxation and Nevada Treasurer	City of Fernley	07/25/14	3674-3708
20	Reply in Support of Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order as to Defendant's Nevada Department of Taxation and Nevada Treasurer; Plaintiff's Opposition to Countermotion for Order Dismissing Nevada Department of Taxation	City of Fernley	07/25/14	3641-3673
20	Reply in Support of Plaintiff's Motion for Summary Judgment Against Defendant Nevada Legislature	City of Fernley	07/25/14	3606-3640
21	Reply to Opposition to Countermotion for Order Dismissing Nevada Department of Taxation	State of Nevada/Dept Taxation	08/01/14	3769-3772
3	Reply to Opposition to Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	08/27/12	636-647
20	Reply to Plaintiff's Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	State of Nevada/Dept Taxation	07/25/14	3583-3605
7	Response to Nevada Department of Taxation	City of Fernley	05/16/14	1424-1432
7	Second Stipulation and Order Regarding Change of Briefing Schedule	Parties/First Judicial District Court	03/17/14	1406-1409
7	Stipulation and Order for an Extension of Time to File Responses to Discovery Requests; Extend Certain Discovery Deadlines and Extend Time to File Dispositive Motions	Parties/First Judicial District Court	04/11/14	1410-1413
7	Stipulation and Order Regarding Change of Briefing Schedule and Plaintiff's Response to Defendant's Motion to Strike Plaintiff's Jury Demand	Parties/First Judicial District Court	02/19/14	1403-1405
12	Stipulation and Order Regarding Change of Briefing Schedule and Setting Hearing for Oral Argument	Parties/First Judicial District Court	06/25/14	2046-2048
7	Stipulation and Order Regarding Defendant's Motion to Strike Plaintiff's Jury Demand	Parties/First Judicial District Court	10/23/13	1400-1402
3	Stipulation and Order Regarding Joinder to Motion to Dismiss	Parties/First Judicial District Court	09/18/12	658-661
23	Transcript of Hearing	Court Reporter	01/07/15	4213-4267
7	Writ of Mandamus	Nevada Supreme Court	01/25/13	1371-1372

1 A I think it was in 2000. That was part of our --  
2 the discovery.

3 Q Okay. And what was the next one you can  
4 remember?

5 A City of Las Vegas.

6 Q Okay.

7 A Sorry. North Las Vegas.

8 Q And approximately when was that?

9 A I think that was during the 2005 session.

10 Q Okay.

11 A They may have asked twice.

12 Q Okay. And --

13 A I know that they have asked twice. I recall  
14 they've asked twice.

15 Q Okay. And we'll go through them. I just wanted  
16 to see. What's the third one?

17 A City of Fernley.

18 Q Okay. And that was when?

19 A Well, the City of Fernley has asked multiple  
20 times in different ways.

21 Q Okay. Let's start with the City of Henderson in  
22 approximately 2000. What's your understanding of what the  
23 adjustment was that the City of Henderson was asking for?

24 A They received a one-time increase of \$4 million  
25 to their base amount. They -- although they didn't object

1 get a change in their base.

2 A Yes, I have an understanding of that.

3 Q Okay. And what is your understanding?

4 A As a newly formed local government, they need to  
5 apply, they need to ask.

6 Q Okay. That's it?

7 A There are other provisions in that statute.  
8 Taking on services is one of them. They have to take on  
9 Police or Fire and at least two other services, Animal  
10 Control, Parks and Recreation.

11 Q Okay. And that's your understanding?

12 A Yes.

13 Q Okay. When I say "you," that's the Department  
14 of Taxation. That's your understanding?

15 A Yes.

16 Q Okay. When the original bases were set for  
17 local towns, cities, local governments, was there any  
18 requirement that any of them have these specific services  
19 that are now listed for newly formed governmental  
20 entities?

21 A I'm not aware that there were any.

22 Q Okay. So if I was a city that was participating  
23 in the program and received money prior to the C-Tax and  
24 then got a base through the C-Tax, there was no  
25 requirement that I have a police department or a fire

1 department or any of these other services that you listed,  
2 correct?

3 A That's correct.

4 Q Okay. It's only if I was a newly created local  
5 government entity that came after a certain date that I  
6 then had to have these to get a change in my base?

7 A Correct.

8 Q Okay. And it's your testimony that Fernley did  
9 not make any kind of application to receive a change in  
10 their base under that statute that we've been talking to  
11 that requires Police, Fire, a couple other services?

12 A That's correct.

13 Q Okay. Did you or to your knowledge anybody at  
14 the Department of Taxation discuss why they did or did not  
15 make that claim or request?

16 A That would be a question for Terry Rubald.

17 Q Okay. So if I wanted to ask them about Fernley  
18 specifically back and forth with Fernley, that would be  
19 Terry Rubald?

20 A Uh-huh.

21 Q Yes?

22 A Yes.

23 Q Okay. And in that statute that requires that,  
24 do you have an understanding, speaking on behalf of the  
25 Department of Taxation, why that requirement was in there



1 for newly formed governments?

2 A No.

3 Q Okay. Is there also a time limitation that they  
4 have within which to request that base change while having  
5 these services that you listed in that code section?

6 A I don't know if the time frame is associated  
7 with the services, but there is a time frame associated  
8 with the newly formed local government.

9 Q Okay. And what is that?

10 A I'm not absolutely certain.

11 Q Okay. If I told you one year, does that sound  
12 about right?

13 A It's about one year.

14 Q Okay. And do you know why there is a limitation  
15 of one year period of time for a newly formed government  
16 to apply for a change to a previous base under that code  
17 section?

18 A No.

19 MS. NICHOLS: Objection. Calls for speculation.

20 BY MR. VELLIS:

21 Q I don't want you to speculate.

22 A No.

23 Q Do you have an understanding?

24 A No. I don't know why.

25 Q All right. Do you know if anybody at the

1 Q Okay. But he did at that time?

2 A Yes.

3 Q Okay. And tell me what the discussions were.

4 A I believe the first meeting was just more  
5 informational. They made a lot of inquiries about how can  
6 we get this done. There was an assumption on their part  
7 that the Department of Taxation had the authority -- had  
8 discretion in how the base amounts were determined and so,  
9 therefore, they wanted the director to change their base  
10 because they assumed he had authority to do that.

11 Q Okay. Anything else you recall?

12 A I recall that they -- they brought some -- I  
13 don't remember if it was handouts, but they had  
14 information. They had per capita distributions of C-Tax  
15 for different cities in Nevada.

16 Q Okay.

17 A They had a list of cities in Nevada by  
18 population and compared Fernley's distribution with  
19 similar-sized cities.

20 Q The information they provided you about the  
21 C-Tax distribution to Fernley and cities with similar  
22 populations, do you recall any of that information?

23 A Just that it was presented.

24 Q Do you remember any of the numbers?

25 A No.

1 Q Okay.

2 A I don't recall comparing other cities' growth  
3 rates.

4 Q And based on that conversation, did you go back  
5 and look then to see whether or not there was a change in  
6 the growth rates for the city of Fernley as opposed to  
7 these other cities?

8 A I don't recall doing that.

9 Q Okay. Did you ever go back and look to see if  
10 there was any change to the assessed values for the  
11 property of these other cities that were similar in size  
12 to Fernley and the assessed values at Fernley?

13 A I review assessed valuations many times  
14 throughout the years, so no, I don't remember specifically  
15 going back and comparing that.

16 Q I'm asking you based on Fernley's complaint did  
17 it pop into your mind and you said to yourself this  
18 doesn't sound right?

19 A No.

20 Q Okay. So as far as you were concerned, the fact  
21 that Fernley was receiving a C-Tax distribution that was  
22 far less than cities of similar size, that was okay?

23 A It was according to statute.

24 Q Okay. So as long as the statute said it's okay,  
25 it was okay with you?

1 A I don't have --

2 Q And by that I mean you, the Department of  
3 Taxation.

4 A We don't have an opinion on that.

5 Q Okay. So if the Department of Taxation saw that  
6 some taxpayer, regardless, was being treated unfairly  
7 during the tax system, that wouldn't matter to you, just  
8 keep going on?

9 MS. NICHOLS: Objection. Calls for speculation.

10 THE WITNESS: Can you restate the question?

11 BY MR. VELLIS:

12 Q Yes. If you see a taxpayer, a tax-paying entity  
13 like the City of Fernley who pays into the system, who  
14 meets the qualifications similar to other populations for  
15 assessed value and whatnot and receives tax dollars back  
16 that are significantly less, that just doesn't matter.  
17 You don't do something in your mind and say this doesn't  
18 seem to be fair?

19 MS. NICHOLS: Objection. Assumes facts and  
20 calls for speculation.

21 THE WITNESS: There are so many factual problems  
22 with the question that you just asked me that I can't  
23 answer it.

24 BY MR. VELLIS:

25 Q Tell me all the factual problems that are wrong

1 A Yes.

2 Q And the Department of Taxation wants to make  
3 sure that all its taxpayers are being treated fairly,  
4 doesn't it?

5 A It's part of our -- yeah, that's part of our  
6 rules for taxpayers.

7 Q Okay. And if I'm a taxpayer in the city of  
8 Fernley and the City of Fernley is not getting an equal  
9 share of C-Tax that will help me because it will provide  
10 services and pay for services in my city, is that taxpayer  
11 being treated fairly by the Department of Taxation, in  
12 your mind?

13 MS. NICHOLS: Objection. Assumes facts and  
14 calls for speculation as to what a taxpayer in the city of  
15 Fernley is thinking.

16 BY MR. VELLIS:

17 Q I didn't ask that. I asked, Would that person  
18 be considered to be treated fairly by the Department of  
19 Taxation?

20 A The Department doesn't have an opinion on that.

21 Q So, although it's their goal to make sure  
22 taxpayers are treated fairly, in this particular instance  
23 if the taxpayers who are paying into the system in the  
24 city of Fernley are not getting that money back through  
25 C-Tax, the Department doesn't have a position on that?

Case No. 66851

1 MS. NICHOLS: Objection. Assumes facts,  
2 misstates her prior testimony, calls for speculation and  
3 is also argumentative.

4 THE WITNESS: The Department doesn't have a  
5 position on that.

6 MR. VELLIS: Okay. It's 12:15. Want to have  
7 lunch?

8 MS. NICHOLS: Sure.

9 (Whereupon, lunch recess was taken at 12:14  
10 p.m.)

11 -o0o-  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 A I don't know.

2 Q Okay. And the Fernley matter, you talked about  
3 the first meeting sometime in 2009, 2010 and you said  
4 there was, from what you recall, three or more.

5 Do you remember the second one, when it was?

6 A No. But it was only a few months after the  
7 first one.

8 Q Okay. Who was in attendance at that meeting?

9 A I think that it was the same people. I think it  
10 was Mayor Goodman, Brandy Jensen. I don't think Greg  
11 Evangelatos was there. Mel Drown -- like a drowning  
12 man -- Mel Drown.

13 Q Who is Mel Drown?

14 A He's for Fernley.

15 Q Okay.

16 A And then myself, Tom Gransbery, Penny Hampton.  
17 I don't remember whether Terry Rubald attended that one.

18 Q Okay.

19 A I think she did. And there was somebody else  
20 there -- oh, my supervisor at the time, Carolyn Misumi,  
21 M-i-s-u-m-i.

22 Q And you all were the representatives of the  
23 Department of Taxation. What was it or why was it, to  
24 your understanding, that Fernley was meeting with you, the  
25 Department of Taxation?

1           A     They still thought that we had some  
2 discretionary power to change their CTX distribution.

3           Q     Okay.

4           A     And we had taken some numbers that they had  
5 provided at the previous meeting and we crunched them a  
6 few different ways, did some different scenarios. I don't  
7 remember all what it was but we did some scenarios with  
8 those numbers and then we discussed it.

9           Q     Okay. And what was the purpose of doing the  
10 crunching of the numbers and the different scenarios?

11          A     I'm not positive. I think that we ran -- that I  
12 ran CTX scenarios with different -- their different base  
13 amounts to see what the distribution -- how the  
14 distribution would change within the county. I recall  
15 doing that but I don't remember if it was before or after  
16 that second meeting.

17          Q     Okay. And did anybody else in the Department of  
18 Taxation do anything in relation to that first or second  
19 meeting with Fernley other than what you've discussed?

20          A     Well, Tom Gransbery and Penny Hampton and Terry  
21 Rubald may have been dealing with other local government  
22 issues.

23          Q     Okay.

24          A     I think they did. But I don't know what they  
25 did.



1 Q Okay.

2 A Probably were going over the scenarios again.

3 Q Okay.

4 A Most of those meetings were just discussing the  
5 different population numbers and if we do this, then how  
6 does it affect that, and so I would take the scenarios and  
7 go back and run the numbers.

8 Q And you can tell me, was the Department trying  
9 to find a way that the City of Fernley would have a larger  
10 base on different scenarios?

11 A No.

12 Q Okay. Then I'm having trouble understanding  
13 what was the scenario showing, that there was no way to  
14 have a larger base?

15 A No. Fernley had provided numbers to us. If we  
16 increased our base to this amount, what would happen to  
17 the rest of the county. Does it depend on our growth in  
18 assessed valuation and population? They provided numbers  
19 that we analyzed.

20 Q Okay.

21 A It's not that we were looking for potential  
22 solutions. We were just, you know, giving them the backup  
23 that they needed.

24 Q Okay. You mentioned something. If you have a  
25 new government that's coming in like Fernley that requests

1 some sort of either a new base or a change in the base  
2 that they had previously, is how it affects the rest of  
3 the entities within the county an important consideration?

4 A Yes, it is.

5 Q Explain that to me.

6 A The bucket of money is only so big. We can't  
7 grow it. So if one entity gets more within a county,  
8 other entities may receive less.

9 Q Okay.

10 A And it depends how the change would be  
11 structured.

12 Q What do you mean?

13 A In the case of Henderson, we didn't take money  
14 away from anybody. We just augmented their base by \$4  
15 million because they had plenty of excess to cover that.

16 Q Okay.

17 A So we didn't take money away from the county or  
18 Las Vegas or anybody else, Mesquite. It just expanded  
19 their base by \$4 million. That, however, changes the  
20 proportions of the amount of base that's received among  
21 the other entities.

22 Q Okay. And I'll go over that in a second, but  
23 let me ask this question first: So where does the \$4  
24 million come from that you gave to Henderson to increase  
25 their base?

1 A They already -- the county already had it. It  
2 was already in their bucket.

3 Q Okay. But it was part of the excess?

4 A Yes, it was part of the excess.

5 Q Now, what if the next year, though, they don't  
6 get an excess equal to that 4 million, does that change  
7 the base of Henderson?

8 A No.

9 Q So when Henderson got the four million, that was  
10 their brand-new base that they'd use for the rest of their  
11 time?

12 A Yes.

13 Q Are there years where there's no excess?

14 A Yes.

15 Q So if the next year there was no excess, there  
16 would be no excess in the bucket for Clark County. What  
17 would happen then? Would Clark County be \$4 million  
18 short?

19 A It's not that simple.

20 Q Explain to me what it is, then.

21 A If there's no excess but there's enough for all  
22 of the base amounts, all the entities would have received  
23 the amount of base that's due. If there's less money  
24 available than the total base amount, then they receive a  
25 proportion of what's in the bucket based on the proportion

1 that you can give me today, correct?

2 A I can't give them to you today.

3 Q Okay. So, clearly, you're not the person most  
4 knowledgeable on that particular subject, correct?

5 A Correct.

6 Q Okay. We were talking about adjustments to the  
7 C-Tax distributions to different levels of government. If  
8 a particular government, local government, for example,  
9 stopped providing a particular service, would there then  
10 be a decrease in their baseline in the following year?

11 A Not automatically.

12 Q Okay. Why do you say "not automatically"?

13 A Well, if they discontinue providing a service, a  
14 necessary service, they may just be contracting it out.

15 Q Okay.

16 A There's no automatic mechanism to monitor what  
17 services are provided --

18 Q Okay.

19 A -- and the amount of the base distribution.

20 Q All right.

21 A They're not related.

22 Q So if they have the service and they contract it  
23 out, then their base may stay the same?

24 A Yes.

25 Q And if they don't contract it, they just

1     discontinue some service, how would that affect their  
2     base, if at all?

3             A     It doesn't.

4             Q     Not at all?

5             A     No.

6             Q     Okay. So if I'm a local town and I have a  
7     police department and I decide not to do that anymore and  
8     I'm not contracting with the county because I think the  
9     county has to be out there anyway, does that affect my  
10    baseline?

11            A     No, it does not.

12            Q     Okay. Are you familiar with the 366.90 that  
13    provides for the decrease in C-Tax allocations?

14            A     I'm familiar with it. Would you mind reading it  
15    to me?

16            Q     I don't know if I'm reading it off your thing,  
17    just your -- somebody's presentation. I think this is  
18    actually the state legislature's presentation, the fiscal  
19    analysis division.

20                    It says, "The population and assessed value for  
21    a local government or special district in a county is  
22    decreased each of the three fiscal years preceding the  
23    current fiscal year. The Department of Taxation is  
24    required to review the base annual allocation amount,  
25    calculate it under 360.680 to determine whether to adjust

1 the amount."

2 A Yes, I'm familiar with that.

3 Q Okay. And has that ever happened?

4 A I do those calculations yearly at February 15th  
5 with the revenue projections. I send a memo to our  
6 director. I'm not aware that it has happened for three  
7 consecutive years. I don't remember ever putting an  
8 entity name's in that memo. I can certainly, you know,  
9 refer to my materials back at the office, if you want to  
10 request that, but my recollection is that that hasn't  
11 happened.

12 Q What materials are you talking about back at  
13 your office?

14 A The review that I do every year, the memo that I  
15 send to the director.

16 Q But as you sit here today on behalf of the  
17 Department of Taxation, you do not recall a situation  
18 where there was a decrease in the revenue to a C-Tax  
19 participant based on that statute?

20 A No, I don't recall.

21 Q Okay. Do you know as the person most  
22 knowledgeable if the Department of Taxation, since the time  
23 of the enactment of the C-Tax up until today, has provided  
24 any kind of investigative materials or studies or reports  
25 or information to the legislature about C-Tax and the

1 calculated based on a five-year average percentage change  
2 in assessed valuation added to a five-year average  
3 percentage of change in population. That number -- this  
4 is a really complicated question that you're asking me.

5 Q Good. I finally asked one.

6 A But that's basically the factor that is used to  
7 generate that calculation. I don't know that I can recall  
8 the entire thing without having it in front of me.

9 Q Okay. But in any case, assessed value and  
10 population growth are factors in how the excess is  
11 distributed?

12 A Yes.

13 Q Okay. And the reason I'm asking the question is  
14 because I'm trying to figure out in relation to a base  
15 amount, when you set the base, is population and assessed  
16 value considered in setting the base originally for the  
17 local governments, local towns and cities?

18 MS. NICHOLS: Objection. Assumes facts. The  
19 Department doesn't set the base.

20 BY MR. VELLIS:

21 Q Do you know what went into it?

22 A It's my understanding that population and  
23 assessed value are not considered.

24 Q Okay. And as the Department, do you have any  
25 understanding of why that was not considered for the base

1 but is for the excess?

2 MS. NICHOLS: Objection. Calls for speculation.

3 BY MR. VELLIS:

4 Q Just your understanding.

5 A I don't know.

6 Q I don't want you to guess. If you don't know,  
7 don't guess. Okay?

8 A I don't know why.

9 Q Okay. So as the Department of Taxation you  
10 don't know why population and assessed value was not  
11 considered when they set the base or why it's used for the  
12 excess?

13 A Correct.

14 Q Okay.

15 MS. NICHOLS: Just to clarify, does the  
16 legislature set the base?

17 MR. VELLIS: Objection. You're not here to ask  
18 questions. When I'm through you can ask all the questions  
19 you want to.

20 MS. NICHOLS: I'll make a note.

21 BY MR. VELLIS:

22 Q When you discussed it with Fernley and you  
23 looked at what Fernley's base was, did you as the  
24 Department have an understanding about how Fernley arrived  
25 at the base amount that they had?



1 A Fernley didn't arrive at the base amount that  
2 they had.

3 Q That was a bad question. You're right.

4 What I'm trying to ask you is as the Department  
5 when you look at -- when Fernley comes and talks to you  
6 and shows you their base, do you know how Fernley's base  
7 was originally set?

8 A It was set by the SB-254 committee.

9 Q So it wasn't by you guys, the Department of  
10 Taxation?

11 A No.

12 Q Okay. Do you know what the SB-254 committee did  
13 or looked at in order to set the base for Fernley?

14 A Yes.

15 Q You do? Tell me what you know.

16 A They looked at the previous revenue sources and  
17 tried to maintain revenue neutrality.

18 Q Okay. Did at any time, as you're going through  
19 your analysis, see Fernley's base and the base of any  
20 other city as -- did the Department of Taxation have any  
21 feeling that that looked like it was significantly off  
22 compared to comparable cities?

23 MS. NICHOLS: Objection. Assumes facts and  
24 calls for speculation.

1 BY MR. VELLIS:

2 Q I'm just asking as the Department, did you ever  
3 look and say that one looks completely different?

4 A No, we didn't.

5 Q Okay. And that's not something you would do?

6 A I look at each and every number to make sure  
7 that it's mathematically and statutorily correct.

8 Q Okay. And that's good. So that's the way you  
9 look at it. But as to comparison with other similar  
10 cities, localities with populations and assessed value,  
11 that's not something you're concerned with?

12 A No, I'm not.

13 Q "You" being the Department?

14 A No.

15 Q Okay. Does the Department have any  
16 understanding about who would look at something like that  
17 if it seemed to be disproportionate?

18 A I don't know that there's a provision in the  
19 statute. When local governments have questions about  
20 their distributions, they call the Department to get  
21 clarification.

22 Q Okay. But you're just going to clarify whatever  
23 the formula sets out in the numbers, right?

24 A Yes.

25 Q Okay. If they called for clarification and

1 somebody calls up saying gee, my number was completely  
2 different and lower than somebody else's, what does the  
3 Department do with a complaint like that? Do they send  
4 them on somewhere else or does it just dead-end right  
5 there?

6 A That's something that would come through Local  
7 Government Finance and Terry Rubald's group. I wouldn't  
8 be involved in that.

9 MS. NICHOLS: If we could be off the record for  
10 just a minute.

11 (Discussion off record.)

12 BY MR. VELLIS:

13 Q As the Department of Taxation, do you know what  
14 sources local governments use to finance their services  
15 and their operations?

16 A I have some knowledge of that. Terry Rubald's  
17 group works with local government budgets.

18 Q All right. So if I wanted to ask questions  
19 about how local governments finance what they're doing,  
20 their services, I should ask Terry Rubald?

21 A Yes.

22 Q Okay. When the local governments -- I'll stick  
23 with those -- have their base amounts set, that was set  
24 not by the Department of Taxation. Correct?

25 A Correct.

1 Q It was set by?

2 A The SB-254 Committee, the Committee on Local  
3 Government Finance.

4 Q And did the Department of Taxation have any  
5 input on those bases that were originally set?

6 A I don't know.

7 Q Okay. Do you have any understanding about how  
8 that was done and what the negotiation was about how much  
9 the base was for particular cities?

10 A No, I don't know.

11 Q Speaking on behalf of the Department of  
12 Taxation, do you have any thought on whether or not --  
13 strike that.

14 Does the Department of Taxation concern itself  
15 with the importance of the original setting of the base?

16 A I'm not sure what you mean, do we concern  
17 ourselves with the importance of it.

18 Q The original base was set. That's your original  
19 base. That goes on in perpetuity, correct?

20 A Yes.

21 Q And that's a pretty important number when you  
22 first get it, isn't it?

23 A Yes.

24 Q And it's going to go on that way for eternity  
25 unless it changes, correct?

# EXHIBIT 16

# EXHIBIT 16

1 IN THE FIRST JUDICIAL DISTRICT COURT  
2 OF THE STATE OF NEVADA IN AND FOR CARSON CITY

3 CITY OF FERNLEY, NEVADA, a )  
4 Nevada municipal )  
corporation, )

**Certified Copy**

5 Plaintiff, )

6 vs. )

Case No.  
12 OC 00168 1B

7 STATE OF NEVADA ex rel. THE )  
NEVADA DEPARTMENT OF )  
8 TAXATION; THE HONORABLE )  
KATE MARSHALL, in her )  
9 official capacity as )  
TREASURER OF THE STATE OF )  
10 NEVADA; and DOES 1-20, )  
inclusive, )

11 Defendants, )

12 NEVADA LEGISLATURE, )

13 Intervenor. )

14

15

16 DEPOSITION OF GUY HOBBS

17 Taken on Tuesday, December 17, 2013

18 At 9:35 a.m.

19 At 100 North City Parkway

20 Suite 1600

21 Las Vegas, Nevada

22

23

24 Reported by: Marilyn Speciale, CRR, RPR, CCR #749

25 Job No. 8315



1 California, and we were researching options for the  
2 state.

3 Q. Okay.

4 A. All very glamorous work.

5 Q. Beauty is in the eyes of the beholder, I  
6 guess.

7 A. Yes, I suppose.

8 Q. Now, what was your actual position? What were  
9 you called?

10 A. At?

11 Q. At UNLV during this period, '78 to '80.

12 A. Research associate.

13 Q. Okay.

14 A. Senior research associate, something like  
15 that.

16 Q. Okay. And then after that, where did you go?

17 A. 1980 to Clark County.

18 Q. And what did you do for Clark County?

19 A. At the very beginning, it was a management --  
20 budget analyst position which moved fairly quickly into  
21 a senior budget analyst position and then moved to  
22 director of budget and financial planning within a  
23 couple of years.

24 Q. Okay.

25 A. And then within about another year to chief



1 financial officer, which was a combination of  
2 comptroller and director of budget and finance, and I  
3 was with Clark County through December 31, 1995.

4 Q. Okay. So from 1980 until 1995, you started as  
5 a budget analyst. What did the budget analyst do?

6 A. Oh, at that time, we had assigned  
7 responsibilities for various departments. Each of the  
8 budget analysts had various departments that they were  
9 responsible for helping guide through the budget  
10 process. I had a handful of those. I think there were  
11 all of three budget analysts in Clark County at that  
12 time.

13 Q. Okay.

14 A. That work didn't change that much through the  
15 senior budget analyst part of it, although I took on  
16 more responsibilities for doing things like all of the  
17 revenue estimates for the county and more technical  
18 matters.

19 Q. And then chief financial officer, explain to  
20 me basically what you did there, if you can.

21 A. Well, having overall responsibility for the  
22 budget, the development and administration of the budget  
23 as well as all other financial functions of the county,  
24 which would have included, you know, all of the normal  
25 accounting functions, payroll, accounts receivable,

1 accounts payable, financial planning, debt and capital  
2 administration, again continuing the glamour.

3 Q. Okay. And in 1995, where did you go?

4 A. At the end of 1995, so January of '96, I left  
5 Clark County and formed the company that I'm now still  
6 with, Hobbs, Ong, O-n-g, & Associates.

7 Q. And what does Hobbs, Ong & Associates do?

8 A. We specialize in public finance issues which  
9 can be best described -- I'm asked this all the time,  
10 and I have quite a difficulty with it.

11 Q. You're under oath now, though.

12 A. Yes. No, no, I'm not sure it's going to make  
13 any difference.

14 A big part of what we do is we're involved  
15 with the capital planning and debt structuring, debt  
16 issuance for a number of clients throughout the State of  
17 Nevada.

18 Do you want client examples or more  
19 definition?

20 Q. Yes, if you can, definitions and client  
21 examples would be great.

22 A. If an entity needs to finance a capital  
23 project, they will consult with us, "How do we go about  
24 doing that?" Obviously, it takes revenue to leverage  
25 the revenue. Sometimes they have the revenue.

1 to the extent that there are people who are on one side  
2 of an issue or another and the numbers favored one side  
3 or the other, I think that's a fair assessment to make,  
4 but the purpose of the testimony that we provided wasn't  
5 necessarily to advocate on one party's part versus  
6 another party's part, and in the years since, even  
7 though I have a lot of respect for those who spend time  
8 lobbying, as technical types and as a company who feels  
9 it's important to maintain technical objectivity, we try  
10 to avoid that.

11 Q. After you left the county, who or what  
12 entities did you lobby for, in the broadest terms we're  
13 using that or how you've explained it.

14 A. It's kind of an interesting evolution after  
15 Clark County. Before I left Clark County -- and I think  
16 this goes to the heart of things that you're interested  
17 in --

18 Q. Okay.

19 A. -- there was a committee, and I wish I could  
20 remember all of the dates and the name or the number of  
21 the legislation. For some reason SB or SCR 40 sticks in  
22 my mind, but Senator O'Connell had a group put together  
23 that was an interim group to study matters relating to  
24 taxation, and that spanned at least -- at least three  
25 interims between regular sessions of the legislature.

1 I was on the technical committee and shared  
2 the technical committee for at least two or three of  
3 those interims, and that was both pre leaving Clark  
4 County and post leaving Clark County. So I continued in  
5 that role after I left Clark County, it being determined  
6 that I had been appointed as an individual, not because  
7 of my position with Clark County. So I continued that  
8 type of work, and, again, how you define that is --

9 Q. Okay. And I understand that, and when we're  
10 using the term lobbying, I understand how you've  
11 explained it. What I'm trying to understand is what  
12 kind of entities did you do that kind of work for after  
13 you left Clark County?

14 A. The only entity that I can remember paying  
15 us -- this is to the best of my recollection --

16 Q. Sure, absolutely.

17 A. -- since this has been a number of years ago,  
18 the City of Henderson provided a small monthly stipend  
19 during -- it might have been the '97 session.  
20 Ostensibly that was to provide technical support to the  
21 City of Henderson on legislative matters that may come  
22 up, and essentially what that means in my world, if we  
23 get a technical bill that we don't understand, we're  
24 sending it over to you for you to read it, pour through  
25 it and tell us if it does something to us.

1 It was all formulaic, and I suppose one of the  
2 other questions you have to ask yourself is how current  
3 are any of those mechanics with the needs of the time.

4 Q. And that's what you were asking back then?

5 A. Those were the kinds of questions that those  
6 of us that dealt with administering these kinds of  
7 things would naturally have.

8 Q. Okay. So how did you -- did someone contact  
9 you to be on the committee, or how did you get involved  
10 in this SCR 40 committee, the technical committee?

11 A. Specifically that committee, I don't recall  
12 how that happened, but it wasn't uncommon for me to be  
13 on such committees.

14 Senator O'Connell, I think, was -- I don't  
15 know if this is speculative or not, but my recollection  
16 is she likely had something to do with my taking a  
17 coordinating role with the technical working group.

18 Q. Who else was on that, and what did you call  
19 it, technical group or advisory group, or was there more  
20 than one group or --

21 A. There was a legislative committee, and we were  
22 the technical committee in support of the legislative  
23 committee.

24 Q. And who was on that technical committee, if  
25 you recall, or as best you can recall, I should say.

1 A. As best I can recall. Well, I mean, the  
2 normal cast of characters. Marvin Leavitt, who is  
3 somebody I had a lot of discussions with these things  
4 about throughout the years.

5 Q. Okay.

6 A. Mike Alastuey, I believe, who was with Clark  
7 County School District, another person whose knowledge  
8 in these areas, particularly from the school district  
9 side, is second to none. Some northern people. Mary  
10 Walker.

11 Q. Who is Mary Walker?

12 A. Mary at that time would have been CFO for  
13 Carson City.

14 Terri Thomas, who I believe was CFO for the  
15 City of Sparks, and there may have been one or two  
16 others.

17 Q. Okay.

18 A. John Sherman, I believe. John was the CFO for  
19 Washoe County, and while there may have been people  
20 whose names were formally a part of the committee, the  
21 committee was never closed to any of the other CFO or  
22 those types who wanted to have involvement in it.

23 Q. Okay. But you were the chairman of this  
24 committee?

25 A. I was the chair of that committee. My only

1 question in my mind is, I know I was chair, but I'm not  
2 sure which of the three or so sessions I acted as chair.  
3 I believe I acted as chair for two of the three  
4 sessions.

5 Q. Okay. And who took over from you in the other  
6 session?

7 A. I believe after I was done with it -- and I'm  
8 not sure what this says -- they didn't renew the  
9 committee, it being expensive to have such. I'd like to  
10 think that's the reason.

11 Q. You said it went through three sessions. So  
12 from what period of time? Do you know?

13 A. I'm thinking it was probably '95 through  
14 '99ish, and, again, that's speculation on my part.

15 Q. It's approximate?

16 A. Yes, approximate.

17 Q. All right. And what were -- what were the  
18 direction to the technical committee from the  
19 legislative committee as to what they wanted you to do?

20 A. They wanted us to look at revenue distribution  
21 issues between and among local governments. That was  
22 largely the charge. So that would have included  
23 property tax issues, which I do remember spending time  
24 on, the sales tax, the SCCRT, supplemental City/County  
25 relief tax, basic City/County relief tax issues and

1 distribution issues. We dealt with a number of other  
2 related issues.

3 Q. Okay. Were the related issues aside from  
4 the -- and the C-Tax consolidated tax -- I'm going to  
5 use the term C-Tax since it's easier. Is that okay?

6 A. Yes.

7 Q. All right. Did you make recommendations as  
8 technical committee regarding these other taxes,  
9 property taxes, gasoline taxes, anything like that,  
10 other than the C-Tax to the legislative committee?

11 A. We likely did. As a part of the '97 session,  
12 the focus was really on what -- the genesis of the  
13 C-Tax, if you will. In '95 and '90 -- whenever else we  
14 had -- I remember one particular -- one particular  
15 interim was dominated by discussion of fuel tax  
16 distribution, motor vehicle fuel tax distribution, and I  
17 believe there were some recommendations made on that as  
18 well that was completely unrelated to the C-Tax, but  
19 that's a considerably difficult topic in and of itself  
20 and remains such today.

21 Q. Well, let's just focus in on the C-Tax, and  
22 you used the term genesis of the C-Tax, and so that's  
23 kind of where I want to start is the genesis.

24 How did the C-Tax get built, get put together  
25 by the technical committee? Can you trace it for me?



1           A. Well, this is going to be all to the best of  
2 my recollection --

3           Q. Absolutely. The whole deposition is to the  
4 best of your recollection.

5           A. -- of 1996. So let's see. A number of us,  
6 and certainly myself included, felt that, again, the  
7 various methods that were being used to deliver these  
8 revenues needed another look. Whether those actually  
9 channeled revenues fairly from one local government to  
10 another or that sort of thing was very much on people's  
11 minds.

12                   And one of the other things that was  
13 particularly on my mind was the fact that the little  
14 skirmishes that would arise from time to time between  
15 entities -- and down here in Clark County I can give you  
16 perfect examples.

17                   The City of Las Vegas would be pushing for,  
18 you know, something, you know, perhaps related to  
19 annexation, which always had to do with more revenue.  
20 Clark County might push back and say, "Well, you guys  
21 are receiving all the cigarette and liquor and basically  
22 the City/County relief tax. We receive none of that,  
23 and that's not fair." And then the fight would break  
24 out, and it seemed to me it was sort of silly and  
25 counterproductive for those fights to break out over the

1 same things over and over and over again.

2 And so that coming up with a uniform method of  
3 distributing similar types of excise tax revenues would  
4 be a sensible thing to do --

5 Q. Okay.

6 A. -- and that's what led to the discussions of  
7 how do we go about doing this, what revenues should be  
8 included in the mix.

9 Q. Okay.

10 A. Obviously, it wasn't named C-Tax at that point  
11 in time, but what revenues could be -- should be a part  
12 of that, and there was some discussion about, you know,  
13 obviously the six that are a part of it and other  
14 revenues that could have been a part of it but were  
15 excluded for one reason or another, like fuel tax was  
16 excluded because there are some peculiarities with fuel  
17 tax that wouldn't have lent that to being a part of  
18 this.

19 There are a number of other related issues.  
20 As you go through all of this, how much of it should be  
21 based on the point of origin of where the revenues are  
22 earned or some other mechanism for channeling those  
23 revenues back to the local governments.

24 You have first-tier and second-tier issues.  
25 How do you get the revenues to the 17 counties? What

1 then do you do with the revenues once they're allocated  
2 to the 17 counties, to the various local governments and  
3 agencies that may be a part of that? And there are at  
4 least a couple hundred of those kinds of subentities  
5 within the state, and they vary a great deal.

6 So the amount of time from the genesis of the,  
7 "Hey, we need to talk about this and see if there's a  
8 better way of doing it" to working through all of the  
9 details took a considerable amount of time.

10 Q. Okay.

11 A. I mean, I can give you another example of  
12 something that is sort of peculiar that strikes out.

13 Q. Sure.

14 A. You know, down in Clark County, we're  
15 dominated by unincorporated towns and cities. We have  
16 the cities that we have, and then we have a bunch of  
17 unincorporated towns, and even people that live down  
18 here rarely know when they're in a city versus an  
19 unincorporated area, but it's a very fundamental thing  
20 for revenue distribution.

21 In Douglas County, I don't believe they have  
22 very many unincorporated towns, but they probably have  
23 two-thirds of what I would call general improvement  
24 districts or special districts that exist in the entire  
25 state. It's a completely different makeup in Douglas

1 County of how they go about delivering services and the  
2 entities through which they do that. You have to work  
3 through those details because at the end of the day,  
4 you're trying to devise one formula to fit all needs  
5 across the state.

6 Q. Right.

7 A. And there are a gazillion other weird examples  
8 of things that, "Really, that exists?"

9 And one of the -- one of the big questions  
10 again, you know, once you start working through  
11 identifying all of the different variations that you  
12 have, which is a huge part of it -- and we had rural  
13 representatives and northern representatives, so we had  
14 plenty of input from those folks -- now, what are your  
15 objectives?

16 Now, this is something that's driven as much  
17 or more by the legislative folks than the technical  
18 folks who are sitting there putting together fascinating  
19 spreadsheets from week to week. Now you need to go get  
20 some policy direction from those folks.

21 Q. And did you do that?

22 A. Yes, and one of the approaches I generally  
23 take with this kind of thing, because I've done this a  
24 few times in my career, is before we just start running  
25 numbers willy-nilly, which is extremely time consuming,

1 what are the principles or the guidelines or the  
2 objectives of what we want to get to.

3 Q. What is your recollection of what they were  
4 for this technical committee, the SCR 40 committee?

5 A. One of the biggest ones was that in the first  
6 year of the C-Tax, that it be -- or at least at the base  
7 -- that it be revenue neutral, and by that I mean  
8 wouldn't necessarily upset the current revenue receipts  
9 of the various local governments that receive those  
10 revenues. That is always a huge decision with a lot of  
11 implications.

12 Q. Okay. And why was that -- what was your  
13 understanding about why that was an important objective  
14 to this?

15 A. Now, this is less speaking on my own behalf as  
16 opposed to speaking on the group.

17 Q. Sure.

18 A. The group's feeling about it.

19 Q. Okay.

20 A. That if you come up with some new formula and  
21 it all of a sudden means you are going to receive 20  
22 percent less and she's going to receive 20 percent more,  
23 what is really going to happen to you and your ability  
24 to deliver services. So there are going to be winners  
25 and losers, and this state is not known for local

1 governments having a lot of latitude as far as being  
2 able to do things on their own from a taxation  
3 perspective.

4 So how do you deal with the potential of all  
5 of those adverse -- those potential adverse outcomes?  
6 The winners are going to be very happy. The losers are  
7 going to be very unhappy. So how do you minimize some  
8 of that?

9 Q. Okay. So and the way to do that then was to  
10 just make the -- and this was for the base, the first  
11 base?

12 A. Okay.

13 Q. And what was the base? What was that supposed  
14 to be, when you came up with a base amount?

15 A. Well, in its most aggregated form, the base  
16 would be the aggregate of all of those revenue sources  
17 from the basic and supplemental City/County relief tax,  
18 cigarette, liquor, the other two. That's your big pot.

19 Now, the first thing to do is get it to the 17  
20 counties, get that distributed to the 17 counties, and  
21 as I recall, the revenue neutrality part of that was  
22 fairly important. So -- and this is, again, to the best  
23 of my recollection.

24 Q. Sure, absolutely.

25 A. But mechanically among the counties, it was

1 Q. Okay.

2 A. Do I think those statistics are the definitive  
3 way of showing exactly what per-capita revenue  
4 generation and needs are? I look at them as descriptive  
5 statistics more than meaningful statistics, if you will.

6 Q. If you have an area, though, that has a  
7 significant population growth and a significant assessed  
8 value growth over a period of time, does that generally  
9 in this calculation indicate that there's going to be a  
10 need for more services in that kind of an area?

11 A. In and of itself, you would certainly come to  
12 that conclusion.

13 Q. Okay. On the objectives -- we're back to  
14 those -- is it fair to say then that what they were  
15 trying to do when they first set this out, since they  
16 wanted to be revenue neutral, is just to keep the status  
17 quo of what everybody had entering the first year of the  
18 C-Tax?

19 A. Yes.

20 Q. And that's what is meant by revenue neutral,  
21 and so when you set the base for everybody, whether it  
22 was a first tier or second tier or whatever tier and  
23 whatever the entity was, it was going to be the status  
24 quo from what they had gotten so they could go forward  
25 and feel comfortable they had what they had walking into

1 the system?

2 A. You've avoided -- yes, you've avoided the  
3 shock effect of other huge changes, and probably there  
4 is a political element there, too, as far as getting the  
5 votes to do something and having everyone somewhat  
6 comfortable with it. But that's outside of my pay  
7 grade.

8 Q. Okay. What you're referring to is that  
9 probably if somebody was losing money, the politicians  
10 weren't going to vote for this thing?

11 A. I would imagine there's a high correlation  
12 there but --

13 Q. Okay.

14 A. So that was one objective.

15 Q. Right. And the base that you would give under  
16 the C-Tax -- I'm kind of going off track a little bit  
17 here -- but that base then stayed with whatever that  
18 entity was throughout until, for example, today?

19 A. Well, it's certainly a part of their makeup  
20 today, much the same as the bases in 1997 are a function  
21 of the bases from 1980 and '81, when the tax shift took  
22 place, which were also then a function of what happened  
23 in 1979. So you have these bases that have perpetuated  
24 over the years, and whether they were all right or all  
25 wrong is subject to a lot of debate.



1 Q. What do you mean?

2 A. Well, again, you have bases that have their  
3 origins in 1979 and 1981.

4 Q. Right.

5 A. That is how many years ago, 30 something.  
6 It's a long time ago.

7 Q. Right.

8 A. Things have changed over 30 years in this  
9 valley and throughout the state. They clearly have  
10 changed. How meaningful are those bases today?

11 But all of the numbers that we deal with today  
12 have their origins in those bases. In other words, when  
13 the tax shift took place, reduced property tax revenue  
14 put the larger sales tax pieces into place. A local  
15 government then between those two revenue sources got X  
16 amount of revenue. That was their base going forward.

17 Then that would be increased or modified each  
18 year up through 1997. The base from 1981 was still very  
19 much a part of what happened. So the revenue neutrality  
20 in '97 reflected everything that took place before that.

21 The main argument for doing something like  
22 that is at least things are perceived to be in  
23 equilibrium.

24 Q. But going forward, let's say, from 1997, when  
25 the C-Tax was instituted until today, I mean, you've

1 there was a competing objective to reduce competition  
2 among local governments.

3 Q. Okay. And how did they go about doing that  
4 with the C-Tax formula?

5 A. Well, once the bases were all set -- in the  
6 base year, a hundred percent of the revenue was a part  
7 of the base. , So there wasn't any excess revenue, and  
8 I'm sure you've heard those terms by now, right?

9 Q. Right, absolutely.

10 A. As the years went on, you know, and you rolled  
11 your base up from year to year, the actual revenue  
12 production from those six revenues would exceed the  
13 combination of all of the bases. So there would be a  
14 certain amount of excess then to distribute according to  
15 what you can see are somewhat complicated formulas.

16 Q. Okay.

17 A. The channeling of that excess, because it was  
18 largely based on growth and population and assessed  
19 value once again, you could argue that at least the  
20 excess was being moved more to those areas that were  
21 experiencing more rapid growth. So have you satisfied  
22 that objective? In a way.

23 Q. Okay.

24 A. At the same time, by not allowing -- by not  
25 necessarily allowing for a new local government, if you

1 appeal, change your base. So that was available for a  
2 new entity to do.

3 The other thing is that -- and this was one I  
4 thought was particularly important -- that on the second  
5 tier of the revenue distribution, that to the extent  
6 that two or more of the local governments felt that they  
7 should share revenue in a manner different than what the  
8 formula prescribed, they could do that. They simply  
9 needed to file something with the Department of  
10 Taxation, and they could deviate from it.

11 So in -- and I believe that's actually been  
12 done. I know that was done in Clark County between  
13 Mesquite and the cities and the county. I know that's  
14 been used --

15 Q. Okay.

16 A. -- and it was something that potentially could  
17 have been, if not for other political features,  
18 something that possibly could have been used in --  
19 that's Lyon County, right?

20 Q. Yes.

21 A. That possibly could have been used there. I  
22 understand why it may not have been, but it was an  
23 available tool.

24 Q. Explain that to me. How could it have been  
25 used, and what is your understanding of why it wasn't

1 used?

2 A. Well, if Fernley and Lyon County came together  
3 and they agreed that, "Yes, Fernley, you've grown, and  
4 you should get more of this revenue," then they could  
5 have done that, and they could have shared the revenue  
6 differently.

7 Now, I've never been a party to any of the  
8 discussions between Fernley and Lyon County at all, but  
9 I could only suspect that Lyon County had less of a  
10 willingness for saying, "Yeah, that sounds like a really  
11 good idea."

12 Q. Well, you and me both, because wouldn't that  
13 require then Lyon County to give up some of the money  
14 that it spends to Fernley?

15 A. Yes. Yes. But at the same time, if Fernley  
16 is now providing services that Lyon County formerly  
17 provided -- and, again, this was the basis of the whole  
18 theory of this alternative sharing mechanism -- if  
19 Fernley is now doing the things that Lyon County used to  
20 do, and I don't pretend to know what Fernley necessarily  
21 does, but let's by way of example say that they picked  
22 up the police component, and Fernley now has less of a  
23 requirement on the county sheriff's side --

24 Q. Correct.

25 A. -- that would have been a rational thing for

1           A. If they can't come to such an agreement with  
2   Lyon County and if they can't otherwise make an appeal  
3   to the Department of Taxation, and I believe the appeal  
4   they could have made was a one-time appeal, I believe.

5           Q. All right. But after that one-time appeal,  
6   we're 13 years down the line. Is there any process for  
7   them to appeal it at that point in time if that  
8   situation I just described happens?

9           A. By the best of my recollection, within the  
10   C-Tax law, I don't know of that, unless something has  
11   been put in or amended in the last three or four  
12   sessions.

13          Q. And here is the other question. What if you  
14   get a situation, the same situation, we have Lyon  
15   County, we have Fernley. Fernley doesn't take on any  
16   new services, but Fernley has a significant increase in  
17   both population and assessed value and has additional  
18   services they need to provide. What do they do then to  
19   try to pay for those services through gaining additional  
20   C-Tax?

21          A. Let me ask you to rephrase because at the  
22   beginning I thought you said that they didn't take on  
23   any more responsibility.

24          Q. Right. That's what I'm saying. Under a  
25   situation if you just had Fernley sitting where Fernley

1 is and Fernley has its base, and whatever that base is  
2 stayed and they've gotten whatever little incremental  
3 changes to it, but Fernley, for example, grows during a  
4 ten-year period by 126 percent in population, grows by  
5 over a hundred percent in assessed value. In fact, it's  
6 the top in both areas in the state. So now it's a  
7 population that has more than doubled. It's got  
8 assessed values that are over a hundred percent growth.  
9 So they have, I think, additional services, but they're  
10 still getting the same amount of C-Tax, and they haven't  
11 taken on any additional services. Is there any way for  
12 them to get additional C-Tax in order to pay for these  
13 new services?

14 A. Again, unless there's something -- to the best  
15 of my knowledge -- unless there is something that has  
16 been amended into what the original C-Tax laws had, then  
17 it would seem that if they've exhausted their appeal to  
18 the Department of Taxation and haven't been able to come  
19 to some accord with Lyon County, that the next level  
20 would be legislative relief, taking a bill and taking  
21 your best shot.

22 Q. Okay, but within the C-Tax system itself,  
23 they're kind of stuck just paying for that with whatever  
24 sources they have. They're not going to get additional  
25 C-Tax?

1 information you currently have, and you could calculate  
2 out for each kind of per city or town or what it was  
3 that they -- whether they're a net exporter or importer?

4 A. I think one could use, again, multipliers that  
5 are available to synthesize that data and show if we  
6 were to take it down to the most disaggregated unit, we  
7 could probably apply something to it that would be  
8 rational.

9 Q. Okay. We were talking about the objectives,  
10 and the first one was, I think you told me, the first  
11 C-Tax was going to be revenue neutral, which would be  
12 basically keeping the status quo, and the second was  
13 that the -- you wanted to reduce competition among --  
14 strike that.

15 You wanted to reduce competition among the  
16 entities and encourage cooperation, correct?

17 A. Correct.

18 Q. All right. What were the other objectives if  
19 you recall?

20 A. There was another objective that -- and I  
21 think I mentioned this a bit earlier -- there was  
22 another objective that indicates -- that spoke to  
23 revenue should be channeled to where growth is occurring  
24 that focused on that excess revenue piece.

25 Q. And explain that one to me. What do you mean?

1           A. Again, you have the base revenue for each of  
2   these entities, if all, as far as distribution formulas  
3   are concerned. If the actual revenues produce more than  
4   that, the difference between all of the bases and the  
5   total revenue produced leaves this remainder. The  
6   remainder is referred to as the excess.

7           The excess, the formula distributes that based  
8   on, if it's still the same, a five-year moving average  
9   of growth in assessed value and a five-year moving  
10   average of growth in population. So those theoretically  
11   are in practice. Those with more growth in assessed  
12   value and population would receive a higher -- a higher  
13   proportion of the excess channeled to them.

14          Q. And in relation to the excess, is there a  
15   guaranteed excess every year?

16          A. Oh, absolutely not.

17          Q. So an area that is growing in both population  
18   and assessed value, or significantly growing in both  
19   population and assessed value, may not see any  
20   additional funds unless there is an excess?

21          A. That would be true.

22          Q. Okay.

23          A. And, in fact, I think your case in point would  
24   be over the last five or so years where ~~I don't know~~  
25   if -- I don't know how many portions of the state



1 actually had an excess because of the economy.

2 Q. All right. But in any case, one of the  
3 objectives was to make sure that the revenues from the  
4 C-Tax were going to be channeled towards those areas  
5 that were growing?

6 A. That there was a mechanism in place to provide  
7 for something that would move more revenue in those  
8 directions, yes.

9 Q. Okay. And the way they were looking at what  
10 growth was was to look at assessed value and population  
11 growth?

12 A. Correct.

13 Q. All right. Any other objectives if you  
14 recall?

15 A. I'm sure there were one or two others, but I  
16 think those were the ones that beared more upon the  
17 formula.

18 Q. Okay.

19 A. I think there may have been one that  
20 encouraged the legislature to pass all this stuff,  
21 something along those lines. Usually that's the last  
22 objective.

23 Q. Okay. Now, once you had these objectives, how  
24 did you go about coming up with the C-Tax formula or the  
25 whole C-Tax system? What did you do? What was the

1 and then, of course, because it's a thoughtful process,  
2 people will raise questions like, well, what if there's  
3 an aberration? You know, what if there is -- you know,  
4 in a rural community, they open a mine, and all of a  
5 sudden, the population goes nuts, you know, all of a  
6 sudden. How is that going to affect something? Wow,  
7 that is a problem.

8 So how do we deal with that, you know,  
9 potential aberrations like that? Well, we could use a  
10 three- to five- to ten-year moving average to smooth  
11 that out, okay, and let's encode that.

12 So all of the logic is developing as now the  
13 numbers are beginning to flow out and we start to test,  
14 do sensitivity testing on this whole thing, which I'm  
15 going to guess took six months.

16 Q. All right. And was that done just for these  
17 enterprise districts and special districts?

18 A. All of them.

19 Q. For the whole thing?

20 A. For the whole thing.

21 Q. So, for example, because I've asked these  
22 questions in depositions before, in regard to like the  
23 towns, local cities and whatnot, this aberration where  
24 you have a city that all of a sudden explodes but has a  
25 very low base because of when it first came in, how is

1 it tested to see what happens to that city?

2 A. Well, you hypothesize problems that you could  
3 foresee, and they could occur on that side or on the  
4 other side. I remember Gabbs, which was a city, being a  
5 topic of discussion around the same time. It went away  
6 as a city. Okay, how does that affect things? I mean,  
7 you want to identify as many things that you can that  
8 could potentially happen to test how the formula would  
9 work because you don't want it to blow up because of  
10 something that you didn't foresee.

11 Q. And that's a good question, and maybe you can  
12 answer for me within this formula how that works. If  
13 you have a small city, rural northern city that had a  
14 very low base because it wouldn't have had a lot of  
15 population and they discover super widgets and it  
16 becomes the gold rush area and everybody shows up and  
17 all of a sudden it's the size of Las Vegas, is its base  
18 going to change based on that change in population and  
19 assessed value that is going to go with that  
20 significant --

21 A. Not automatically.

22 Q. Okay. How would it change? How would they  
23 get money to pay for all these additional services under  
24 the formula?

25 A. Well, under the strict -- again, to the best

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

CITY OF FERNLEY, NEVADA, a  
Nevada municipal corporation,

Appellant,

vs.

THE STATE OF NEVADA ex rel.  
DEPARTMENT OF TAXATION;  
THE HONORABLE DAN  
SCHWARTZ, in his official capacity  
as TREASURER OF THE STATE OF  
NEVADA; and THE LEGISLATURE  
OF THE STATE OF NEVADA,

Respondents.

Supreme Court No.: 66851

District Court Case No.: 12 OC 00168 1B

**JOINT APPENDIX**

**VOLUME 14 PART 3**

Filed By:

Joshua J. Hicks, Esq.  
Nevada Bar No. 6678  
BROWNSTEIN HYATT  
FARBER SCHRECK, LLP  
50 West Liberty Street, Suite 1030  
Reno, Nevada 89501  
Telephone: (775) 622-9450  
Email: jhicks@bhfs.com

*Attorneys for Appellant City of Fernley,  
Nevada*

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

Volume Number	Document	Filed By	Date	Bates Stamp Number
1	Affidavit of Service Taxation	City of Fernley	07/02/12	17
1	Affidavit of Service Treasurer	City of Fernley	06/20/12	13-16
23	Amended Memorandum of Costs and Disbursements	State of Nevada/Dept Taxation	10/09/15	4058-4177
7	Answer	State of Nevada/Dept Tax/ Treasurer	02/01/13	1384-1389
7	Answer to Plaintiff's Complaint	Nevada Legislature	01/29/13	1378-1383
23	Case Appeal Statement	City of Fernley	11/07/14	4208-4212
1	Complaint	City of Fernley	06/06/12	1-12
21	Defendant Nevada Legislature's Reply in Support of its Motion for Summary Judgment	Nevada Legislature	07/25/14	3747-3768
21	Defendant's Opposition to Motion to Retax Costs and Reply to Opposition to Motion for Costs	State of Nevada/Dept Taxation	10/03/14	3863-3928
22	Defendant's Opposition to Motion to Retax Costs and Reply to Opposition to Motion for Costs (Cont.)	State of Nevada/Dept Taxation	10/03/14	3929-3947
1	Exhibits to Joinder in Motion to Dismiss	Nevada Legislature	08/16/12	104-220
2	Exhibits to Joinder in Motion to Dismiss (Cont.)	Nevada Legislature	08/16/12	221-332
1	Joinder in Motion to Dismiss	Nevada Legislature	08/16/12	62-103
7	Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	Nevada Legislature	05/06/14	1421-1423
21	Memorandum of Costs and Disbursements	State of Nevada/Dept Taxation	09/19/14	3788-3793
21	Motion for Costs	State of Nevada/Dept Taxation	09/19/14	3776-3788
12	Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order	City of Fernley	06/18/14	2005-2045
7	Motion for Summary Judgment	City of Fernley	06/13/14	1458-1512
8	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1513-1732
9	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1733-1916
10	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1917-1948
11	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1949-2004
1	Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	08/03/12	41-58
1	Motion to Intervene	Nevada Legislature	08/03/12	18-40
21	Motion to Retax Costs and Opposition to Motion for Costs	City of Fernley	09/24/14	3794-3845
7	Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	05/05/14	1414-1420
7	Nevada Department of Taxation and Nevada Treasurer's Reply to Response to Renewal of Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	05/23/14	1433-1437
12	Nevada Department of Taxation's Opposition to Plaintiff's Motion for Summary Judgment	State of Nevada/Dept Taxation	07/11/14	2053-2224
13	Nevada Department of Taxation's Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	State of Nevada/Dept Taxation	07/11/14	2225-2353

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

<b>Volume Number</b>	<b>Document</b>	<b>Filed By</b>	<b>Date</b>	<b>Bates Stamp Number</b>
23	Notice of Appeal	City of Fernley	11/07/14	4205-4207
22	Notice of Entry of Order	Nevada Legislature	10/08/14	4001-4057
23	Notice of Entry of Order	State of Nevada/Dept	10/17/14	4195-4204
7	Notice of Entry of Order Denying City of Fernley's Motion for Reconsideration of Order Dated November 13, 2012	State of Nevada/Dept Tax/ Treasurer	12/19/12	1364-1370
7	Notice of Entry of Order Granting A Continuance to Complete Discovery	City of Fernley	10/19/12	1344-1350
3	Notice of Entry of Order Granting Nevada Legislature's Motion to Intervene	Nevada Legislature	09/04/12	651-657
7	Notice of Entry of Order on Defendant's Motion for Extensions of Time to File Answer	State of Nevada/Dept Tax/ Treasurer	11/15/12	1354-1360
1	Notice of Non-Opposition to Legislature's Motion to Intervene	State of Nevada/Dept Tax/ Treasurer	08/06/12	59-61
2	Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP 56(F)	City of Fernley	08/20/12	331-441
3	Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP 56(F) (Cont.)	City of Fernley	08/20/12	442-625
2	Opposition to Motion to Nevada Legislature's Motion to Intervene	City of Fernley	08/20/12	324-330
13	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	City of Fernley	07/11/14	2354-2445
14	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2446-2665
15	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2666-2819
16	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2820-2851
17	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2852-2899
4	Opposition to Nevada Legislature's Joinder in Motion to Dismiss	City of Fernley	09/28/12	662-881
5	Opposition to Nevada Legislature's Joinder in Motion to Dismiss (Cont.)	City of Fernley	09/28/12	882-1101
6	Opposition to Nevada Legislature's Joinder in Motion to Dismiss (Cont.)	City of Fernley	09/28/12	1102-1316
17	Opposition to Nevada Legislature's Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	City of Fernley	07/11/14	2900-2941
20	Opposition to Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order	Nevada Legislature	07/11/14	3586-3582

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

Volume Number	Document	Filed By	Date	Bates Stamp Number
12	Opposition to Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order and Countermotion for Order Dismissing Nevada Department of Taxation	State of Nevada/Dept Tax/ Treasurer	07/11/14	2049-2052
17	Opposition to Plaintiff's Motion for Summary Judgment	Nevada Legislature	07/11/14	2942-3071
18	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3072-3292
19	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3292-3512
20	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3515-3567
7	Order (Converting Motion to Dismiss to Motion for Summary Judgment, Setting Briefing Schedule and Dismissing Treasurer)	First Judicial District Court	06/06/14	1451-1457
22	Order and Judgment	First Judicial District Court	10/06/14	3948-4000
7	Order Denying City of Fernley's Motion for Reconsideration of Order Dated November 13, 2012	First Judicial District Court	12/17/12	1361-1363
7	Order Granting A Continuance to Complete Discovery	First Judicial District Court	10/15/12	1341-1343
7	Order Granting in Part and Denying in Part Petition for Writ of Mandamus	Nevada Supreme Court	01/25/13	1373-1377
23	Order Granting Nevada Department of Taxation's Motion for Costs	First Judicial District Court	10/15/14	4190-4194
3	Order Granting Nevada Legislature's Motion to Intervene	First Judicial District Court	08/30/12	648-650
7	Order on Defendant's Motion for Extensions of Time to File Answer	First Judicial District Court	11/13/12	1351-1353
7	Order Pursuant to Writ of Mandamus	First Judicial District Court	02/22/13	1390-1392
21	Order Vacating Trial	First Judicial District Court	09/03/14	3773-3775
23	Plaintiff's Motion to Strike, or Alternatively, Motion to Retax Costs	City of Fernley	10/14/14	4178-4189
21	Plaintiff's Objections to Nevada Legislature's Proposed Order and Request to Submit Proposed Order and Judgment	City of Fernley	10/02/14	3846-3862
7	Pretrial Order	First Judicial District Court	10/10/13	1393-1399
7	Reply Concerning Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	Nevada Legislature	05/27/14	1438-1450
7	Reply in Support of Joinder in Motion to Dismiss	Nevada Legislature	10/08/12	1317-1340
3	Reply in Support of Motion to Intervene	Nevada Legislature	08/24/12	626-635
21	Reply in Support of Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order as to Defendant Nevada Legislature	City of Fernley	07/25/14	3709-3746

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

<b>Volume Number</b>	<b>Document</b>	<b>Filed By</b>	<b>Date</b>	<b>Bates Stamp Number</b>
20	Reply in Support of Plaintiff's Motion for Summary Judgment Against Defendants Nevada Department of Taxation and Nevada Treasurer	City of Fernley	07/25/14	3674-3708
20	Reply in Support of Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order as to Defendant's Nevada Department of Taxation and Nevada Treasurer; Plaintiff's Opposition to Countermotion for Order Dismissing Nevada Department of Taxation	City of Fernley	07/25/14	3641-3673
20	Reply in Support of Plaintiff's Motion for Summary Judgment Against Defendant Nevada Legislature	City of Fernley	07/25/14	3606-3640
21	Reply to Opposition to Countermotion for Order Dismissing Nevada Department of Taxation	State of Nevada/Dept Taxation	08/01/14	3769-3772
3	Reply to Opposition to Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	08/27/12	636-647
20	Reply to Plaintiff's Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	State of Nevada/Dept Taxation	07/25/14	3583-3605
7	Response to Nevada Department of Taxation	City of Fernley	05/16/14	1424-1432
7	Second Stipulation and Order Regarding Change of Briefing Schedule	Parties/First Judicial District Court	03/17/14	1406-1409
7	Stipulation and Order for an Extension of Time to File Responses to Discovery Requests; Extend Certain Discovery Deadlines and Extend Time to File Dispositive Motions	Parties/First Judicial District Court	04/11/14	1410-1413
7	Stipulation and Order Regarding Change of Briefing Schedule and Plaintiff's Response to Defendant's Motion to Strike Plaintiff's Jury Demand	Parties/First Judicial District Court	02/19/14	1403-1405
12	Stipulation and Order Regarding Change of Briefing Schedule and Setting Hearing for Oral Argument	Parties/First Judicial District Court	06/25/14	2046-2048
7	Stipulation and Order Regarding Defendant's Motion to Strike Plaintiff's Jury Demand	Parties/First Judicial District Court	10/23/13	1400-1402
3	Stipulation and Order Regarding Joinder to Motion to Dismiss	Parties/First Judicial District Court	09/18/12	658-661
23	Transcript of Hearing	Court Reporter	01/07/15	4213-4267
7	Writ of Mandamus	Nevada Supreme Court	01/25/13	1371-1372



NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
-	-	-
-	-	-
32,616.36	32,616.36	782,792.84
13,620.96	13,620.96	926,903.04
-	-	-
-	-	-
8,194,897.02	8,416,148.97	95,979,297.97
-	-	-
1,032,535.69	1,060,414.15	12,097,900.33
7,411,076.58	7,611,175.65	86,816,632.98
665,450.94	683,416.12	7,799,312.64
1,527,630.35	1,568,676.37	17,877,208.18
-	-	-
808,001.34	829,817.38	9,462,192.86
5,209.28	5,349.93	61,081.33
4,065.24	4,175.00	47,876.42
-	-	-
19,695,093.77	20,225,612.88	231,250,998.09
-	-	-
-	-	-
1,176,909.64	1,195,714.08	13,559,084.26
-	-	-
25,632.60	24,735.40	295,311.32
16,941.00	18,277.99	216,218.60
-	-	-
1,221,482.23	1,173,727.47	14,072,614.17
-	-	-
-	-	-
55,077.84	55,077.84	716,011.92
-	-	-
-	-	-
3,592,042.37	3,699,027.51	42,758,692.58
-	-	-
896.27	920.47	10,556.38
2,188.31	2,247.39	25,863.90
-	-	-
-	-	-
3,513.21	3,613.10	41,733.39
3,513.21	3,613.10	41,733.39
-	-	-
3,657,241.21	3,764,499.62	43,594,591.56

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
E COUNTY OF HUMBOLDT											
CAL GOVERNMENTS											
HUMBOLDT COUNTY	5,342,773.48	4,917,505.40	4,919,985.65	5,049,959.82	4,959,093.78	5,110,769.58	5,207,874.20	5,979,794.05	5,562,845.01	5,701,711.14	5,935,481.30
NNEMUCCA	2,058,709.23	1,894,842.38	1,856,778.84	1,945,880.13	1,910,882.67	1,963,694.75	2,000,943.81	2,066,974.96	2,137,252.10	2,190,663.41	2,280,501.43
ECIAL DISTRICTS											
ILCONDA FIRE PROTECTION	199,586.93	188,700.43	188,791.24	188,648.43	185,266.88	191,917.60	195,564.03	202,017.55	208,886.25	214,108.40	222,886.85
HUMBOLDT FIRE PROTECTION	16,625.79	15,302.41	15,309.89	15,714.60	15,493.05	16,096.85	16,402.89	16,943.98	17,520.07	17,958.08	18,694.36
HOSPITAL DISTRICT	566,929.28	521,803.48	522,081.36	535,588.30	526,216.86	542,473.95	552,787.07	571,029.05	590,444.03	606,018.54	630,018.54
DERMIT FIRE PROTECTION	1,914.57	1,762.19	1,763.05	1,809.64	1,776.99	1,824.92	1,859.60	1,920.96	1,986.27	2,036.93	2,119.40
OVADA COMMUNITY SERVICES GID	19,586.78	17,107.33	17,115.76	17,568.11	17,250.78	17,714.80	18,051.36	18,647.08	19,281.08	19,763.11	20,573.40
OVADA FIRE PROTECTION	23,219.04	21,370.87	21,381.44	21,946.52	21,550.09	22,129.78	22,550.24	23,294.40	24,086.41	24,688.57	25,700.80
RADISE FIRE PROTECTION	18,289.34	16,832.64	16,840.94	17,286.03	16,974.55	17,492.43	17,824.78	18,413.00	19,039.04	19,515.02	20,315.14
EBLO FIRE PROTECTION	4,308.46	3,988.93	3,985.89	4,081.22	4,017.55	4,147.27	4,226.07	4,365.55	4,513.96	4,626.81	4,816.51
NNEMUCCA RURAL FIRE PROTECTION	90,566.94	83,375.68	83,416.81	86,783.86	86,086.63	92,113.57	93,663.73	96,961.23	100,257.91	102,764.36	106,977.70
ITAL HUMBOLDT COUNTY	8,341,547.85	7,577,586.62	7,681,380.98	7,885,525.67	7,744,529.64	7,980,321.50	8,131,947.61	8,400,301.88	8,665,912.15	8,903,059.95	9,268,085.42
E COUNTY OF LANDER											
TERPRISE DISTRICT											
NDER CO SEWER IMPR DISTRICT #2											
CAL GOVERNMENTS											
NDER COUNTY	3,554.04	3,554.04	3,554.04	3,554.04	3,554.04	3,554.04	3,554.04	3,554.04	3,554.04	3,554.04	3,554.04
ISTIN	2,530,853.67	2,529,038.68	2,532,519.51	2,554,605.78	2,530,021.89	2,530,387.37	2,578,484.72	2,663,554.06	2,754,114.89	2,822,967.77	2,938,709.45
ITTLE MOUNTAIN	10,654.45	10,646.68	10,661.34	10,764.32	10,660.84	10,652.38	10,854.77	11,212.97	11,594.21	11,884.07	12,371.32
NGSTON	157,983.59	157,792.22	159,009.39	159,387.40	157,853.56	157,876.37	160,876.02	166,184.93	171,835.22	176,131.10	183,352.48
	14,274.21	14,265.67	14,285.29	14,409.89	14,271.22	14,273.27	14,544.45	15,024.42	15,535.25	15,923.83	16,576.50
ECIAL DISTRICTS											
NDER HOSPITAL DISTRICT	494,438.74	494,022.17	494,702.11	499,016.44	494,214.25	494,285.68	503,677.05	520,298.39	537,988.53	551,438.25	574,047.22
ITAL LANDER COUNTY	3,211,678.71	3,209,319.46	3,213,731.68	3,241,727.87	3,210,565.80	3,211,029.06	3,271,971.04	3,379,628.81	3,494,822.15	3,581,898.85	3,728,611.00

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

2010	2011	GRAND TOTAL
5,941,416.78	6,101,835.03	70,130,734.23
2,282,781.93	2,344,417.04	26,973,252.88
223,108.74	229,133.70	2,628,618.12
18,713.05	19,218.30	219,933.23
630,646.56	647,676.07	7,443,157.48
2,121.52	2,178.80	25,073.85
20,598.97	21,150.01	243,403.59
25,726.50	26,421.12	304,065.77
20,335.46	20,884.52	240,041.89
4,821.33	4,951.51	56,876.03
107,084.68	109,975.97	1,240,237.98
9,277,353.52	9,527,842.07	109,505,394.95
3,554.04	3,554.04	46,202.52
2,941,646.16	3,021,072.66	34,927,568.60
12,353.89	12,718.05	147,039.09
183,535.83	188,491.30	2,179,219.41
16,593.08	17,041.09	197,017.98
574,621.27	590,136.04	6,822,886.08
3,732,396.07	3,833,013.13	44,320,333.67

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
IE COUNTY OF LINCOLN											
OCAL GOVERNMENTS											
NCOLN COUNTY											
ALIENTE	1,013,948.29	1,094,966.72	1,140,632.73	1,179,414.26	1,197,913.61	1,227,043.73	1,250,357.56	1,291,619.36	1,335,534.42	1,369,922.78	1,422,430.65
AMO	113,805.23	122,496.78	127,997.06	132,348.94	134,444.88	137,693.72	140,809.90	144,940.13	149,868.09	153,614.79	159,619.25
ANACA	17,151.02	18,503.85	19,420.20	20,080.48	20,473.50	20,891.41	21,298.34	21,990.86	22,738.55	23,307.01	24,218.03
OCHE	30,853.60	33,361.67	35,187.49	36,383.86	37,246.14	37,853.19	38,572.40	39,645.29	41,200.03	42,280.03	43,880.71
	41,217.90	44,699.42	46,909.32	48,504.25	49,306.90	50,463.04	51,421.94	53,118.76	54,924.80	56,297.92	58,498.48
ECIAL DISTRICTS											
NCOLN COUNTY HOSPITAL DISTRICT	107,112.05	115,526.37	120,278.54	124,388.00	126,301.33	129,390.48	131,848.90	136,199.61	140,880.71	144,351.47	149,993.85
AHRANAGAT VALLEY FIRE PROTECTION	40,279.26	43,468.69	45,292.74	46,892.68	47,691.55	48,723.97	49,649.73	51,288.17	53,031.97	54,357.77	56,482.50
OCHE FIRE PROTECTION	22,796.85	24,648.14	25,713.43	26,587.70	26,984.57	27,661.41	28,186.98	29,117.15	30,107.13	30,559.81	32,066.05
OTAL LINCOLN COUNTY	1,387,164.19	1,497,601.63	1,561,431.50	1,614,520.17	1,640,382.48	1,679,720.95	1,711,635.65	1,768,119.63	1,828,235.70	1,873,941.59	1,947,189.81
IE COUNTY OF LYON											
INTERPRISE DISTRICTS											
TAGECOACH GID	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00
WILLOWCREEK GID	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60
OCAL GOVERNMENTS											
ION COUNTY											
ERINGTON	6,872,278.75	8,389,089.61	8,957,602.86	9,262,161.36	9,410,855.94	9,636,204.48	9,819,292.37	10,143,329.02	10,489,202.20	10,750,407.26	11,191,173.96
ERNLEY	199,736.45	242,148.66	258,332.28	267,115.58	271,389.43	277,902.77	283,182.92	292,527.96	302,473.91	310,035.76	322,747.23
	71,371.98	87,680.38	93,923.45	97,116.85	99,670.72	101,086.82	102,958.55	106,356.19	109,972.30	112,721.61	117,343.20
ECIAL DISTRICTS											
ARSON-TRUCKEE WATER CONSERVANCY	5,011.48	6,069.07	6,469.83	6,689.81	6,796.84	6,859.97	7,092.21	7,325.25	7,575.34	7,764.73	8,088.08
ENTRAL LYON FIRE PROTECTION	264,880.00	320,031.01	340,791.09	352,377.99	368,016.04	366,508.42	373,573.98	385,901.93	399,022.59	408,998.16	425,767.08
ASON VALLEY FIRE PROTECTION	38,076.02	47,015.86	50,066.81	51,758.74	52,566.88	53,848.97	54,872.10	56,682.88	58,610.10	60,075.35	62,538.44
ASON VALLEY MOSQUITO ABATEMENT	34,220.14	41,266.15	43,915.77	45,408.91	46,135.45	47,242.70	48,140.31	49,728.94	51,419.73	52,705.22	54,866.13
ORTH LYON FIRE PROTECTION	74,628.38	90,181.56	97,023.85	100,322.66	101,927.83	104,374.09	106,357.20	109,866.99	113,602.47	116,442.53	121,216.67
IVER SPRINGS STAGECOACH HOSPITAL	44,883.93	53,128.44	56,574.82	58,498.37	59,434.34	60,860.76	62,017.12	64,063.68	66,241.85	67,997.89	70,681.70
WITH VALLEY FIRE PROTECTION	27,698.39	33,496.57	35,621.76	36,832.90	37,422.23	38,320.36	39,048.45	40,337.05	41,706.51	42,761.22	44,504.02
SOUTH LYON HOSPITAL DISTRICT	141,416.72	170,429.53	181,570.70	187,682.06	190,884.97	195,261.41	199,971.38	206,537.43	212,525.71	217,838.85	226,770.24
OTAL LYON COUNTY	7,796,520.84	9,502,462.43	10,143,190.84	10,487,332.83	10,654,796.27	10,909,990.37	11,116,874.20	11,483,025.92	11,872,722.30	12,169,006.17	12,667,059.36

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
1,393,203.26	1,280,945.58	-
156,338.47	143,741.46	16,196,931.24
23,720.41	21,809.13	1,817,158.70
42,979.06	39,516.02	275,592.78
57,296.47	52,679.78	499,109.50
		665,328.90
148,911.82	135,074.37	-
55,321.91	50,864.33	1,708,187.79
31,407.17	28,876.52	643,275.26
1,907,176.56	1,753,507.20	365,014.92
		22,170,899.08
19,064.00	19,064.00	-
2,303.60	2,303.60	247,832.00
		29,946.80
11,202,365.13	11,504,828.99	-
323,068.98	331,792.87	127,627,292.83
117,460.54	120,631.97	3,682,456.79
		1,337,256.57
8,081.16	8,301.32	-
426,192.65	437,262.79	92,231.10
62,600.98	64,226.98	4,859,423.94
54,921.00	56,347.52	713,850.10
121,337.89	124,489.52	626,237.98
70,752.38	72,580.11	1,382,408.65
44,548.52	45,705.63	807,575.40
226,997.01	232,893.04	507,935.61
		2,688,519.05
12,679,705.04	13,020,438.33	144,503,116.91

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
THE COUNTY OF LINCOLN											
LOCAL GOVERNMENTS											
LINCOLN COUNTY	1,018,946.28	1,094,866.72	1,140,632.73	1,178,414.26	1,197,913.61	1,227,043.73	1,250,357.56	1,291,619.36	1,335,334.42	1,368,922.78	1,422,430.95
XALIENTE	113,805.23	122,436.78	127,987.06	132,348.94	134,444.88	137,683.72	140,309.90	144,940.13	149,868.09	153,614.79	159,619.25
ALAMO	17,151.02	18,503.85	19,420.20	20,080.48	20,473.50	20,881.41	21,288.34	21,990.86	22,738.55	23,307.01	24,218.03
YANACA	30,653.60	33,361.67	35,187.49	36,368.86	37,246.14	37,893.19	38,572.40	39,845.28	41,200.03	42,280.03	43,880.71
YIOCHE	41,217.90	44,669.42	46,909.32	48,504.25	49,306.90	50,463.04	51,421.84	53,118.76	54,924.80	56,297.92	58,496.48
SPECIAL DISTRICTS											
LINCOLN COUNTY HOSPITAL DISTRICT	107,112.05	115,626.37	120,275.54	124,368.00	126,301.33	129,330.48	131,848.90	136,189.91	140,880.71	144,351.47	149,993.85
SAHRANAGAT VALLEY FIRE PROTECTION	40,278.26	43,468.68	45,292.74	46,832.68	47,681.55	48,723.97	49,648.73	51,288.17	53,031.97	54,357.77	56,482.50
YIOCHE FIRE PROTECTION	22,798.85	24,548.14	25,713.43	26,587.70	26,984.57	27,661.41	28,186.98	29,117.15	30,107.13	30,859.81	32,066.05
TOTAL LINCOLN COUNTY	1,387,164.19	1,487,501.63	1,561,481.50	1,614,520.17	1,640,352.49	1,679,720.95	1,711,635.65	1,768,119.83	1,828,235.70	1,873,941.59	1,947,189.81
THE COUNTY OF LYON											
ENTERPRISE DISTRICTS											
STAGECOACH GID	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00	19,064.00
WILLOWCREEK GID	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60	2,303.60
LOCAL GOVERNMENTS											
LYON COUNTY	6,872,279.75	8,389,059.51	8,957,502.86	9,262,161.36	9,410,355.94	9,596,204.48	9,819,292.37	10,143,329.02	10,488,202.20	10,750,407.26	11,191,173.95
FERINGTON	199,736.45	242,148.66	258,332.28	267,115.58	271,389.43	277,902.77	283,182.92	292,527.96	302,473.91	310,035.76	322,747.23
FERNLEY	71,371.98	87,690.38	93,923.45	97,116.85	98,670.72	101,038.62	102,958.55	106,356.19	109,972.30	112,721.61	117,843.20
SPECIAL DISTRICTS											
CARSON-TRUCKEE WATER CONSERVANCY	5,011.48	6,069.07	6,469.83	6,689.81	6,796.84	6,959.97	7,092.21	7,326.25	7,575.34	7,764.73	8,083.08
CENTRAL LYON FIRE PROTECTION	264,880.00	320,031.01	340,791.09	352,377.99	358,016.04	366,608.42	373,573.98	385,901.93	398,022.59	408,998.16	425,767.08
WASON VALLEY FIRE PROTECTION	39,076.02	47,015.86	50,056.81	51,756.74	52,586.88	53,848.97	54,872.10	56,682.88	58,610.10	60,075.35	62,538.44
NORTH LYON FIRE PROTECTION	34,220.14	41,238.15	43,915.77	45,408.91	46,135.45	47,242.70	48,140.31	49,728.94	51,419.73	52,705.22	54,866.13
SILVER SPRINGS STAGECOACH HOSPITAL	74,628.36	90,815.56	97,023.85	100,322.66	101,927.83	104,374.09	106,357.20	109,866.99	113,602.47	116,442.53	121,216.87
SMITH VALLEY FIRE PROTECTION	44,883.93	53,126.44	56,574.82	58,498.37	59,484.34	60,860.76	62,017.12	64,063.88	66,241.85	67,897.89	70,681.70
SOUTH LYON HOSPITAL DISTRICT	27,698.39	33,436.57	35,621.76	36,832.90	37,422.23	38,320.36	39,048.45	40,337.05	41,708.51	42,751.22	44,504.02
TOTAL LYON COUNTY	141,416.72	170,423.53	181,510.70	187,682.06	190,684.97	195,251.41	198,971.38	205,637.43	212,626.71	217,838.85	226,770.24
TOTAL LYON COUNTY	7,796,520.84	9,502,452.43	10,143,190.84	10,487,332.83	10,654,788.27	10,909,980.37	11,116,874.20	11,483,025.92	11,872,722.30	12,169,006.17	12,867,056.36

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	GRAND TOTAL
1,393,203.26	1,280,945.58	2,674,148.84
156,338.47	143,741.46	299,080.93
23,720.41	21,809.13	45,529.54
42,979.06	39,516.02	82,495.08
57,296.47	52,679.76	109,976.23
146,911.82	135,074.37	281,986.19
55,321.91	60,864.33	116,186.24
31,407.17	28,676.52	60,083.69
1,907,178.56	1,753,507.20	3,660,685.76
19,084.00	19,064.00	38,148.00
2,303.60	2,303.60	4,607.20
11,202,385.13	11,504,828.99	22,707,214.12
323,069.98	331,792.87	654,862.85
117,460.54	120,691.97	238,152.51
8,081.16	8,301.32	16,382.48
428,192.85	437,262.79	865,455.64
62,500.98	64,226.98	126,727.96
54,921.00	56,347.52	111,268.52
121,337.89	124,469.52	245,807.41
70,752.38	72,690.11	143,442.49
44,548.52	45,705.63	90,254.15
226,997.01	232,893.04	459,890.05
12,679,705.04	13,020,498.33	25,700,203.37

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1999-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
THE COUNTY OF MINERAL LOCAL GOVERNMENTS	2,062,721.03	2,147,811.25	2,079,628.02	2,102,846.24	2,125,987.26	2,135,051.68	2,117,450.62	2,246,264.95	2,315,745.59	2,331,896.54	2,333,309.50
SPECIAL DISTRICTS											
MINERAL COUNTY HOSPITAL DISTRICT	120,462.50	125,407.19	121,426.08	122,781.58	124,132.92	124,662.19	126,965.89	131,155.75	135,212.82	136,128.44	136,238.18
TOTAL MINERAL COUNTY	2,183,183.53	2,273,218.44	2,201,054.10	2,225,628.82	2,250,120.18	2,259,713.87	2,301,472.10	2,377,420.68	2,450,958.21	2,467,522.98	2,469,547.68
THE COUNTY OF NYE LOCAL GOVERNMENTS	5,921,305.00	7,295,238.77	7,933,151.53	8,099,478.79	8,229,070.45	8,425,566.14	8,586,872.93	8,870,033.14	9,171,814.27	9,400,904.53	9,786,341.72
SABBS	47,649.93	57,977.75	61,805.98	63,907.38	64,929.90	66,486.22	67,751.49	69,987.29	72,336.86	74,176.08	77,217.25
MARGOSA	57,451.99	71,555.61	76,978.62	79,595.89	80,869.43	82,810.29	84,383.69	87,168.35	90,132.08	92,385.38	96,173.18
BEATTY	196,769.52	239,977.57	256,118.35	264,828.38	269,083.60	275,521.13	280,786.03	290,020.98	299,881.69	307,378.73	319,981.26
MANHATTAN	2,734.53	3,194.31	3,392.13	3,507.46	3,583.58	3,649.11	3,718.44	3,841.15	3,971.75	4,071.04	4,237.95
PAHRUMP	379,608.45	471,211.11	508,545.28	523,767.82	532,148.10	544,919.66	555,273.13	573,697.15	593,099.45	607,926.83	632,851.93
ROUND MOUNTAIN	129,786.11	159,033.61	170,738.12	176,543.22	179,367.91	183,672.74	187,182.62	193,368.89	199,912.41	204,910.22	213,311.54
TONOPAH	163,802.01	199,723.61	213,483.88	220,742.33	224,274.21	229,656.79	234,020.27	241,742.93	249,952.19	256,211.25	266,715.91
SPECIAL DISTRICTS											
MARGOSA LIBRARY DISTRICT	4,745.68	5,745.61	6,133.54	6,342.08	6,443.56	6,598.20	6,723.57	6,945.44	7,181.59	7,391.13	7,662.94
BEATTY LIBRARY DISTRICT	3,334.68	4,019.58	4,291.29	4,437.19	4,508.19	4,616.38	4,704.10	4,859.33	5,024.55	5,150.16	5,361.32
NYE HOSPITAL	124,367.92	11,864.33									
PAHRUMP COMMUNITY HOSPITAL	36,249.14	44,330.42	47,551.47	49,168.22	49,954.91	51,153.82	52,125.75	53,845.90			
PAHRUMP LIBRARY DISTRICT	52,354.49	64,080.69	68,683.51	71,018.86	72,155.16	73,886.88	75,290.73	77,775.33	80,419.89	82,430.18	85,809.82
PAHRUMP SWIM POOL GID	30,836.15	37,455.99	40,179.08	41,545.17	42,209.90	43,222.98	44,044.17	45,497.53	47,044.55	48,220.68	50,197.71
SMOKY VALLEY LIBRARY DISTRICT	13,227.91	15,919.43	17,019.23	17,597.88	17,879.45	18,308.55	18,656.42	19,272.08	19,927.33	20,425.51	21,262.96
TONOPAH LIBRARY DISTRICT	1,327.12	1,594.82	1,701.96	1,759.83	1,787.99	1,890.90	1,885.69	1,927.26	1,992.78	2,042.50	2,126.35
TOTAL NYE COUNTY	7,165,377.82	8,682,774.59	9,307,774.18	9,624,288.51	9,778,226.32	10,012,903.75	10,203,148.93	10,539,852.84	10,842,531.18	11,119,594.46	11,569,251.82
THE COUNTY OF PERSHING LOCAL GOVERNMENTS	1,548,445.81	1,779,932.60	1,844,421.76	1,907,132.10	1,998,008.91	1,994,149.72	2,021,843.57	2,088,559.57	2,159,580.93	2,219,570.46	2,270,795.34
PERSHING COUNTY	294,517.98	335,690.16	346,745.12	358,534.45	363,999.98	373,013.51	380,100.77	392,844.09	405,993.99	416,143.94	426,902.11
DOVELOCK											
SPECIAL DISTRICTS											
PERSHING COUNTY HOSPITAL DISTRICT	204,346.34	232,681.89	240,635.54	248,817.15	252,706.55	258,865.38	263,783.82	272,488.69	281,753.30	286,797.14	296,263.21
TOTAL PERSHING COUNTY	2,047,310.13	2,341,304.65	2,481,802.42	2,514,483.70	2,554,716.44	2,616,028.61	2,665,733.16	2,753,702.35	2,847,328.23	2,919,511.44	2,993,961.66



NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

2010	2011	GRAND TOTAL
2,215,212.22	2,016,984.06	28,289,463.52
129,942.53	117,885.19	1,551,799.21
2,844,354.85	2,136,869.25	29,941,262.74
9,674,402.13	9,879,586.56	111,275,366.16
76,334.01	78,735.55	879,327.66
95,073.12	96,033.10	1,092,610.93
816,321.20	326,059.36	3,642,594.80
4,189.47	4,320.95	48,391.97
825,613.15	646,457.51	7,192,017.67
210,871.61	217,370.38	2,426,019.28
263,666.12	271,819.44	3,034,819.93
7,575.29	7,809.54	87,288.37
5,300.00	5,463.30	61,070.06
-	-	136,232.24
-	-	384,379.62
84,823.30	87,496.69	976,183.32
49,623.53	51,186.20	571,064.67
21,019.75	21,667.53	242,188.93
2,102.03	2,166.82	24,226.15
11,436,916.71	11,797,176.85	132,073,788.76
2,176,808.52	1,999,654.85	25,926,020.14
409,480.86	376,135.08	4,879,905.95
283,496.57	260,414.34	3,385,052.42
2,669,887.94	2,636,206.77	84,190,978.51

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
HE COUNTY OF STOREY OCAL GOVERNMENTS TOREY COUNTY	1,632,373.37	1,662,205.55	1,752,308.93	1,811,887.06	1,840,875.05	1,885,056.70	1,920,874.81	1,984,268.68	2,051,728.65	2,103,021.86	2,189,245.76
PEICAL DISTRICTS											
ARSON-TRUCKEE WATER CONSERVANCY	556.51	571.98	595.23	615.64	626.90	640.32	652.49	674.02	696.94	714.36	743.65
<u>TOTAL STOREY COUNTY</u>	1,632,929.87	1,662,777.53	1,752,904.16	1,812,502.90	1,841,502.95	1,885,699.02	1,921,527.30	1,984,937.70	2,052,425.58	2,103,736.22	2,189,989.41
HE COUNTY OF WASHOE INTERPRISE DISTRICTS UN VALLEY WATER/SANITATION GID ERDI TELEVISION GID ENMON VALLEY UNDERGROUND WATER	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55	131,943.92 63,893.35 9,029.55
OCAL GOVERNMENTS WASHOE COUNTY	57,597,572.45	64,844,471.16	69,158,884.95	70,632,894.48	72,658,156.79	74,398,158.47	75,811,723.48	78,318,510.36	80,976,189.71	83,000,573.95	76,545,488.85
ENO PARKS	32,710,842.96 13,893,979.95	36,873,393.43 15,563,467.82	39,225,553.76 16,670,587.16	40,069,329.26 17,026,840.41	41,210,981.14 17,510,710.37	42,197,273.81 17,933,512.52	42,999,022.01 18,274,249.26	44,417,989.74 18,877,299.48	45,928,201.39 19,519,127.67	47,076,406.42 20,007,105.86	43,415,200.29 18,451,121.79
PEICAL DISTRICTS											
ARSON-TRUCKEE WATER CONSERVANCY	113,095.98	126,670.20	135,474.09	139,322.44	142,232.11	145,737.20	148,506.21	153,406.92	158,622.75	162,588.32	149,943.57
JOHLINE VILLAGE GID	779,492.86	875,960.75	937,545.62	957,338.50	984,514.73	1,008,571.21	1,027,734.06	1,061,649.28	1,037,745.36	1,125,188.99	1,037,691.27
JOH LAKE TAHOE FIRE PROTECTION	2,154,621.63	2,420,139.69	2,569,729.53	2,644,433.00	2,719,677.06	2,785,919.81	2,838,892.29	2,932,534.41	3,032,240.58	3,108,046.60	2,866,328.93
ALOMINO VALLEY GID	113,798.55	127,799.54	136,793.87	139,663.60	143,590.34	147,082.53	149,887.29	154,893.57	160,097.91	164,100.36	151,338.02
TERRA FOREST FIRE PROTECTION	874,681.10	985,418.12	1,055,725.29	1,078,375.92	1,109,971.18	1,135,703.93	1,157,282.31	1,195,472.62	1,236,118.69	1,267,021.66	1,188,488.39
RUCKEE MEADOWS FIRE PROTECTION	3,898,226.64	4,306,085.56	4,505,610.96	4,702,022.47	4,835,115.95	4,954,518.49	5,048,654.34	5,215,269.94	5,382,578.77	5,527,393.24	5,097,518.18
<u>TOTAL WASHOE COUNTY</u>	112,281,958.95	125,743,435.86	134,515,955.23	137,389,220.08	141,314,929.67	144,706,487.98	147,485,911.25	152,321,956.33	157,500,902.84	161,438,425.41	148,888,105.30
HE COUNTY OF WHITE PINE OCAL GOVERNMENTS WHITE PINE COUNTY	2,682,421.15	2,446,426.49	2,432,201.37	2,489,308.17	2,517,586.20	2,544,202.47	2,497,849.16	2,580,278.19	2,688,007.64	2,734,707.84	2,846,830.86
LY	751,705.32	809,347.54	804,641.47	829,534.06	832,869.25	841,694.67	869,083.29	897,763.03	928,286.95	951,494.15	990,505.41
UND	11,163.70	11,999.54	11,928.78	12,209.86	12,348.56	12,479.12	12,674.49	13,092.74	13,587.90	13,876.34	14,445.25
ICGILL	37,841.99	40,455.06	40,219.91	41,164.15	41,631.76	42,071.91	43,440.92	44,874.47	46,400.20	47,560.21	49,510.17
UTH	12,986.20	14,000.58	13,919.17	14,245.98	14,407.82	14,560.14	15,033.93	15,530.05	16,058.07	16,459.52	17,134.86
PEICAL DISTRICTS											
WHITE PINE HOSPITAL DISTRICT	298,091.85	321,924.00	320,052.12	327,566.78	331,287.87	334,790.28	311,899.87	314,009.05	324,865.95	332,802.49	346,447.38
<u>TOTAL WHITE PINE COUNTY</u>	3,374,020.20	3,644,153.22	3,622,969.72	3,709,029.01	3,750,151.45	3,799,796.60	3,749,971.66	3,855,547.53	3,996,976.14	4,096,900.55	4,264,873.43

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
2,191,436.01	2,132,517.94	25,177,797.36
744.39	724.38	8,657.01
2,192,179.40	2,133,242.32	25,186,354.37
131,943.92	131,943.92	1,715,270.98
63,893.35	63,893.35	880,613.55
9,029.55	9,029.55	117,384.15
68,512,744.76	68,342,603.78	940,592,953.20
38,859,576.38	38,763,074.57	583,646,925.17
16,525,398.44	16,484,360.14	226,757,770.68
134,114.13	133,781.06	1,842,434.98
927,210.68	924,908.09	12,745,571.31
2,561,149.22	2,554,789.00	35,208,381.75
135,749.20	135,412.09	1,860,036.96
1,045,280.36	1,042,684.55	14,352,219.15
4,560,525.50	4,549,200.23	62,633,711.19
133,251,748.75	132,930,813.54	1,829,744,851.20
2,849,677.69	2,926,618.99	33,796,116.23
991,495.92	1,018,266.31	11,510,707.40
14,459.70	14,850.11	169,067.09
49,559.68	50,897.79	575,428.11
17,151.49	17,614.58	199,111.89
346,793.83	356,157.26	4,256,496.14
4,289,198.30	4,384,403.04	50,516,928.86

Case No. 66851  
JA 2566

# Excess Distributions

---

Case No. 66851  
JA **2567**

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
THE COUNTY OF CARSON CITY											
CARSON CITY	2,181,140.42	350,089.88	1,250,411.71	2,266,501.33	1,483,415.47	2,519,656.69	3,948,395.03	4,378,603.47	2,752,048.01	453,229.41	-
SPECIAL DISTRICTS											
CARSON-TRUCKEE WATER CONSERVANCY	2,762.49	443.03	1,602.56	2,689.30	1,601.06	2,530.28	3,921.13	4,373.03	2,931.48	517.94	-
SIERRA FOREST FIRE PROTECTION	27,854.88	4,441.45	15,210.92	27,446.24	15,568.95	23,245.55	35,006.64	38,482.00	41,810.67	5,982.33	-
TOTAL CARSON CITY	2,211,757.79	354,974.35	1,268,225.19	2,296,636.87	1,480,385.48	2,545,432.43	3,987,322.81	4,421,458.50	2,796,790.17	459,729.88	-
THE COUNTY OF CHURCHILL											
LOCAL GOVERNMENTS											
CHURCHILL COUNTY	229,109.88	200,907.38	-	-	234,346.29	418,498.31	1,281,552.95	2,102,364.27	1,477,934.97	812,319.66	596,888.43
FALLON	65,951.04	58,632.19	-	-	60,724.58	120,605.80	270,284.77	499,549.37	362,242.55	300,560.04	234,564.50
SPECIAL DISTRICTS											
CARSON-TRUCKEE WATER CONSERVANCY	328.04	300.39	-	-	285.79	487.85	1,055.42	2,584.56	1,571.87	1,024.76	771.88
CHURCHILL MOSQUITO ABATEMENT GID	10,905.62	9,990.22	-	-	9,504.80	15,819.16	35,203.90	86,110.07	55,649.62	34,099.58	26,415.32
TOTAL CHURCHILL COUNTY	306,294.58	269,830.19	-	-	304,861.47	555,211.13	1,588,097.03	2,590,508.88	1,897,498.02	1,146,003.93	857,640.23

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
-	487,769.02	22,061,260.35
-	621.77	23,994.07
-	19,328.46	249,178.09
-	501,719.25	22,324,432.52
-	311,787.13	7,684,709.18
-	107,541.94	2,080,657.38
-	445.58	8,955.40
-	14,827.23	298,325.53
-	434,602.03	10,052,648.49

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
THE COUNTY OF CLARK											
INTERPRISE DISTRICT											
CYLE CANYON WATER DISTRICT											
LOCAL GOVERNMENTS											
CLARK COUNTY	23,854,584.54	12,830,973.38	5,008,376.58	1,335,103.04	14,064,495.23	48,631,628.18	95,108,210.59	119,044,799.30	106,680,746.75	85,612,105.02	28,325,248.90
BOULDER CITY	723,305.56	358,244.60	144,255.86	36,637.71	384,024.49	1,241,481.99	1,599,581.90	1,711,611.14	1,660,139.61	1,161,942.53	407,437.91
HENDERSON	7,308,318.57	3,999,067.15	1,418,750.60	443,183.60	4,996,064.74	17,998,235.75	35,249,266.23	39,522,370.86	38,993,632.41	25,272,883.05	7,730,332.57
AS VEGAS	20,859,914.48	9,815,745.07	3,952,717.51	1,002,232.25	9,865,058.18	33,990,171.86	61,169,455.51	81,565,748.06	74,350,898.52	57,292,583.30	18,405,173.49
RESQUITE	840,082.33	890,478.39	157,482.16	38,106.53	425,158.15	1,119,501.01	2,076,899.52	2,689,692.61	3,185,144.11	2,842,493.72	933,310.21
NORTH LAS VEGAS	3,778,520.41	1,848,437.57	725,118.44	197,507.58	2,345,496.01	8,288,812.45	17,471,476.62	22,844,199.12	21,029,394.53	17,475,351.34	5,576,738.53
JUNKERVILLE	48,027.96	29,103.99	8,776.34	2,171.18	25,628.51	98,389.66	111,197.82	117,313.84	136,388.77	97,025.19	28,115.27
INTERPRISE	115,146.71	49,550.48	75,756.25	25,474.96	408,593.60	2,022,087.46	4,747,676.73	4,924,914.33	3,698,416.40	2,632,272.19	795,553.18
BLENDALE	222.01	141.71	35.38	10.84	-	-	-	-	-	-	-
AUGHLIN	520,759.28	245,504.07	89,055.02	18,896.76	123,684.19	215,327.66	-	449,784.08	805,660.60	1,482,697.87	534,954.43
IOAPA VALLEY	63,970.82	35,873.46	12,909.91	4,744.73	46,104.31	133,063.66	220,389.10	256,290.06	129,191.29	218,190.16	79,666.52
PARADISE	5,484,438.12	2,348,788.54	1,053,056.07	253,435.93	2,660,254.72	7,530,963.38	10,414,590.18	11,977,126.37	14,733,793.27	10,928,012.06	4,299,826.56
SEARCHLIGHT	33,153.35	13,490.86	5,751.35	1,126.24	7,902.24	24,400.07	72,870.62	61,052.95	60,050.46	48,157.09	8,464.20
SPRING VALLEY	988,310.39	478,878.89	309,674.71	84,195.01	930,237.20	3,439,796.70	7,242,342.85	8,241,563.93	7,016,193.48	5,349,283.99	1,937,688.36
JUMMERLIN	5,328.22	3,052.78	10,595.77	5,521.31	51,907.94	215,527.95	472,113.22	284,503.27	170,367.52	96,452.16	24,594.61
JUNRISE MANOR	744,766.43	360,030.48	138,953.86	35,601.47	365,737.11	1,172,932.52	1,945,786.45	2,125,306.06	2,129,810.89	1,641,301.39	531,933.53
WHITNEY	58,092.37	28,049.88	11,456.63	3,255.58	35,797.32	132,222.83	283,077.17	333,591.92	385,047.25	337,371.49	111,354.55
WINCHESTER	1,151,487.06	446,826.58	204,175.14	40,761.00	391,473.89	705,518.54	1,800,950.73	2,728,681.45	2,907,361.74	2,908,209.99	1,366,945.27
SPECIAL DISTRICTS											
BOULDER LIBRARY DISTRICT	49,551.78	20,934.37	8,357.19	1,952.79	17,482.34	47,015.70	56,785.53	92,214.89	94,336.82	89,434.82	29,686.32
CLARK COUNTY FIRE PROTECTION	3,666,021.68	1,726,044.85	687,927.02	174,011.76	1,710,055.22	5,590,653.48	8,886,554.80	11,634,284.44	12,300,591.28	10,431,519.27	3,582,524.39
HENDERSON LIBRARY DISTRICT	178,645.22	85,873.11	33,479.52	9,283.02	98,728.27	279,508.29	490,301.70	795,964.85	727,665.17	547,341.09	167,059.60
AS VEGAS/CLARK CO LIBRARY DISTRICT	1,466,147.91	702,698.92	281,211.14	68,556.81	643,717.44	2,150,742.12	3,647,694.65	4,699,203.81	4,687,712.30	3,977,319.55	1,336,620.67
IOAPA FIRE PROTECTION	59,498.43	27,846.70	10,980.38	2,462.52	22,421.92	49,706.28	61,278.96	183,083.61	81,865.44	119,403.17	37,809.37
AT CHARLESTON FIRE PROTECTION	11,618.47	5,483.38	2,364.85	506.47	5,633.13	20,019.10	37,367.32	20,984.93	38,588.79	27,943.59	8,746.32
TOTAL CLARK COUNTY	74,003,024.12	34,850,429.10	14,351,058.60	3,784,822.89	39,826,643.15	135,605,708.66	253,187,788.21	313,266,517.67	290,942,977.52	230,570,296.14	75,959,790.74

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
1,234,613.29	5,840,150.77	548,071,040.56
20,405.94	98,906.27	9,547,956.32
346,463.90	1,980,888.64	179,627,448.07
700,542.41	1,002,514.12	373,591,754.75
49,367.09	649,148.61	15,276,763.44
238,439.04	1,517,640.72	103,337,122.45
1,672.06	16,624.88	720,417.26
34,802.13	397,931.86	19,839,183.27
25,919.20	144,031.33	403.74
3,662.31	40,816.48	4,635,273.61
224,609.21	1,241,593.29	1,252,652.80
63,414.61	246,475.52	73,288,477.70
905.99	7,527.84	336,419.45
17,617.30	55,592.64	35,027,615.65
4,883.14	555,143.31	1,348,349.59
75,856.70	1,779,742.76	11,209,779.48
1,401.61	9,015.35	1,779,742.76
162,291.71	897,895.80	15,286,211.41
7,193.61	38,955.70	512,279.51
56,755.05	199,563.19	61,351,275.69
1,902.99	213.33	3,458,009.26
482.94	2,281.83	23,917,943.47
3,273,153.22	15,785,912.46	688,475.10
		182,121.13
		1,485,207,922.47



NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
HE COUNTY OF DOUGLAS											
ENTERPRISE DISTRICTS											
DOUGLAS CO SEWER IMPROVEMENT GID	-	-	-	-	-	-	-	-	-	-	-
LK POINT SANITATION GID	-	-	-	-	-	-	-	-	-	-	-
INDEN GARDNERVILLE SANITATION GID	-	-	-	-	-	-	-	-	-	-	-
HOE DO SEWER IMPROVEMENT GID	-	-	-	-	-	-	-	-	-	-	-
DCAL GOVERNMENTS											
DOUGLAS COUNTY	1,086,222.00	413,886.14	338,413.33	433,897.24	1,115,907.73	1,585,792.68	2,328,612.48	2,565,276.98	2,621,534.11	2,445,512.08	1,479,149.47
ARDNERVILLE											
ENOA	26,569.92	10,717.74	8,965.29	13,802.31	41,342.62	69,653.34	104,670.61	90,119.41	83,975.75	72,534.68	39,235.99
INDEN	1,095.77	419.12	384.90	417.04	887.40	1,168.24	803.37	1,342.58	1,332.09	1,595.00	925.07
	35,257.09	13,507.04	10,928.25	13,962.30	34,473.13	44,445.36	49,879.76	45,749.43	55,888.64	61,921.66	40,795.64
PECIAL DISTRICTS											
ARSON-TRUCKEE WATER CONSERVANCY											
AVE ROCK GID	2,266.64	867.55	725.88	876.26	2,058.98	2,719.05	4,059.29	4,507.89	4,338.56	4,201.78	2,519.11
DOUGLAS MOSQUITO PROTECTION GID	1,685.05	644.26	583.18	670.67	1,601.20	2,228.90	2,569.26	4,019.57	3,945.54	3,515.17	2,197.32
AST FORK FIRE PROTECTION	12,921.81	4,878.19	4,036.09	4,666.18	10,865.21	15,715.82	25,523.12	27,162.66	25,868.97	26,493.46	15,716.59
ARDNERVILLE RANCHOS GID	135,613.10	52,574.46	44,315.17	52,814.36	128,134.12	202,188.96	264,114.56	266,351.96	268,933.74	278,792.85	192,659.82
ADIAN HILLS GID	73,580.02	27,755.48	22,778.92	22,886.34	44,285.96	59,627.79	117,392.29	93,387.83	123,487.29	125,784.15	73,420.02
INGSBURY GID	28,430.22	11,257.73	9,004.02	11,992.24	31,191.83	49,811.47	67,037.38	57,865.16	49,294.25	50,396.35	26,688.99
AKERIDGE GID	49,503.70	18,873.21	15,593.75	16,135.43	37,704.02	45,358.35	48,064.69	71,312.84	117,408.64	92,727.96	60,791.54
DGAN CREEK GID	1,854.54	613.05	504.39	628.90	1,623.79	1,927.05	2,753.62	4,388.60	3,991.13	3,469.23	2,365.44
LAULA BAY GID	700.98	267.98	221.07	312.21	824.81	1,204.95	1,709.29	1,967.50	1,532.77	1,376.35	892.56
LIVER PARK GID	4,993.54	1,915.48	1,567.74	2,463.56	6,722.83	10,168.89	14,365.28	20,015.17	17,583.43	15,990.05	10,292.52
OUND HILL GID	1,767.86	672.29	556.47	506.80	837.14	593.97	-	351.82	2,393.50	2,291.93	1,527.65
IERRA FOREST FIRE PROTECTION	36,062.44	13,951.74	11,698.51	15,950.85	42,270.71	61,659.40	88,074.42	99,277.21	76,079.54	64,278.54	39,262.59
KYLAND GID	26,614.21	10,189.17	8,350.14	10,450.35	26,434.36	44,309.16	74,245.48	79,017.21	62,515.46	59,599.36	-
OPAZ RANCH GID	7,042.56	2,898.72	2,220.71	3,543.13	11,092.33	17,428.10	25,542.76	30,638.95	14,254.36	12,508.84	7,801.04
HOE DOUGLAS FIRE PROTECTION	376,712.46	143,947.66	119,582.22	144,169.52	337,917.81	435,595.24	540,901.52	748,639.46	710,855.79	625,552.12	405,700.06
EPHYR COVE GID	6,320.38	2,403.82	1,967.29	2,011.65	3,651.41	3,878.32	3,672.62	6,486.41	13,597.29	17,417.11	10,110.80
EPHYR HEIGHTS GID	2,634.46	1,011.79	823.70	1,357.96	3,929.47	6,090.46	9,021.86	11,978.65	7,594.56	6,651.87	4,258.02
EPHYR KNOLLS GID	8,194.17	3,136.35	2,581.62	3,094.37	7,280.12	9,049.55	10,384.22	16,263.05	22,976.21	20,337.93	13,198.83
OTAL DOUGLAS COUNTY	902.55	115.30	95.04	106.25	238.08	289.59	337.95	577.15	785.70	688.10	460.43
	1,925,775.30	736,336.28	605,777.70	758,915.92	1,891,175.06	2,670,615.72	3,785,703.84	4,241,161.10	4,290,361.31	3,994,636.37	2,430,159.38

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

2010	2011	GRAND TOTAL
-	-	-
-	-	-
-	-	-
677,611.02	-	17,091,847.28
18,176.03	-	579,763.09
490.08	-	10,811.07
20,333.57	-	427,191.86
1,150.43	-	-
1,237.66	-	30,291.42
6,322.21	-	25,147.88
101,488.85	-	181,062.29
23,961.18	-	1,988,186.94
11,517.44	-	808,597.26
33,375.49	-	404,468.09
1,325.70	-	607,417.73
497.86	-	25,086.44
5,701.97	-	11,508.34
971.79	-	112,030.87
19,227.28	-	12,481.23
-	-	561,783.32
4,347.56	-	401,673.90
217,319.77	-	139,418.87
6,372.13	-	4,807,763.63
2,377.01	-	77,790.24
7,292.46	-	57,729.82
254.92	-	123,798.88
1,161,347.40	-	4,254.95
	-	28,490,075.40

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
E COUNTY OF ELKO TERPRISE DISTRICT KO CONVENTION/VISITORS AUTHORITY KO TELEVISION DISTRICT	-	-	-	-	-	-	-	-	-	-	-
CAL GOVERNMENTS KO COUNTY	-	285,574.11	188,224.36	9,339.72	42,924.48	304,886.37	752,877.76	2,991,271.94	4,141,333.86	3,405,499.32	2,904,577.29
KLIN	-	32,051.47	20,552.34	-	4,009.97	11,705.09	91,849.32	373,855.95	519,480.83	421,130.65	362,131.41
KO CITY	-	285,494.17	149,415.84	8,169.28	28,292.55	187,204.14	680,384.32	2,717,552.59	3,741,528.31	3,119,827.04	2,823,586.39
ELLS	-	21,483.13	13,169.04	595.40	1,725.82	8,448.42	60,284.42	241,615.25	339,568.17	284,587.84	231,886.38
EST WENDOVER	-	50,981.75	33,684.63	3,153.81	23,926.72	332,095.58	1,413,275.73	620,183.09	798,222.56	558,647.35	562,920.34
CKPOT	-	23,714.07	19,124.07	917.52	6,831.60	85,501.74	376,420.17	300,993.81	409,561.05	325,335.95	288,791.51
UNTELLO	-	173.60	74.86	5.71	38.98	60.16	480.19	2,079.56	2,624.19	2,107.08	1,771.00
JUNTAIN CITY	-	119.80	78.18	3.51	10.37	43.85	350.24	1,362.08	2,566.85	2,005.69	1,994.95
ITAL ELKO COUNTY	-	628,542.09	404,323.63	23,286.07	107,760.28	929,825.33	3,375,702.15	7,248,922.67	9,951,965.82	8,219,323.91	6,957,209.26
IE COUNTY OF ESERALDA ICAL GOVERNMENTS MERALDA COUNTY	1,507.19	-	9,540.44	32,389.33	31,472.87	34,748.23	37,815.38	104,511.94	222,842.87	195,614.32	154,113.51
LDFIELD	29.72	-	195.54	713.84	33,458.08	795.37	5,596.93	2,468.58	5,001.30	4,084.27	1,971.89
VER PEAK	31.04	-	188.20	507.16	486.72	524.31	532.75	1,543.13	3,222.60	2,655.47	-
ITAL ESERALDA COUNTY	1,567.95	-	9,919.18	33,610.32	65,417.67	36,087.90	43,945.07	108,523.64	231,066.77	202,934.06	156,085.20
IE COUNTY OF EUREKA ITERPRISE DISTRICT IREKA TELEVISION DISTRICT	-	-	-	-	-	-	-	-	-	-	-
ICAL GOVERNMENTS IREKA COUNTY	-	547,650.04	-	22,279.29	64,878.02	43,411.02	1,262,183.95	2,835,293.54	5,877,576.17	2,776,524.02	2,178,570.40
RESENT VALLEY	-	165.65	-	17.41	7,895.17	11.43	307.93	723.26	1,408.46	618.38	477.59
IREKA	-	368.20	-	38.70	22,464.21	22,480.22	778.76	1,852.78	3,691.70	1,535.25	1,231.60
ICIAL DISTRICTS AMOND VALLEY RODENT AMOND VALLEY WIEED	-	557.05	-	44.57	17,500.51	54,137.83	1,283.75	3,120.26	5,866.59	2,522.48	1,960.67
	-	557.05	-	44.57	17,500.51	54,137.83	1,283.75	3,120.26	5,866.59	2,522.48	1,960.67
ITAL EUREKA COUNTY	-	549,297.99	-	22,424.53	130,178.41	174,178.33	1,265,838.12	2,844,065.12	5,994,408.52	2,783,722.62	2,184,200.92

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
-	-	-
-	-	-
1,879,275.20	3,809,888.83	20,675,252.65
237,688.75	470,910.83	2,545,388.53
1,677,471.23	3,404,813.08	18,673,668.91
152,425.68	311,335.66	1,687,126.00
361,106.98	706,134.89	5,552,138.72
173,797.37	349,686.23	2,340,581.15
1,136.71	2,286.53	12,840.58
1,297.31	2,588.78	12,391.60
4,474,170.22	9,057,346.66	51,379,378.13
-	-	-
72,532.75	-	897,088.83
753.26	-	55,048.57
993.83	-	10,680.20
74,279.83	-	962,817.60
-	-	-
1,782,987.56	2,553,690.67	19,944,989.06
373.22	529.71	12,468.21
994.86	1,380.18	56,826.44
1,588.84	2,270.88	90,853.23
1,588.84	2,270.88	90,853.23
1,787,533.71	2,560,141.91	20,195,990.17

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<u>1</u> COUNTY OF HUMBOLDT	-	-	-	-	-	275,108.30	1,159,020.21	2,338,720.65	2,087,184.69	2,208,083.02	2,151,359.28
CAL GOVERNMENTS	-	-	-	-	-	-	-	-	-	-	-
HUMBOLDT COUNTY	-	-	-	1,178.77	31,892.13	275,108.30	1,159,020.21	2,338,720.65	2,087,184.69	2,208,083.02	2,151,359.28
JENMUCCA	-	-	-	439.15	6,769.39	112,984.34	485,325.35	525,334.38	843,544.98	871,182.80	931,766.87
ECIAL DISTRICTS	-	-	-	-	-	-	-	-	-	-	-
LCONDA FIRE PROTECTION	-	-	-	57.13	2,182.65	9,921.00	41,811.15	83,917.74	74,388.44	78,415.73	86,753.33
HUMBOLDT FIRE PROTECTION	-	-	-	4.89	286.54	902.49	3,870.55	7,783.37	6,718.94	6,994.02	12,038.62
HUMBOLDT HOSPITAL DISTRICT	-	-	-	125.25	3,548.92	29,597.69	125,181.25	251,609.09	219,351.04	230,044.31	144,742.94
DERMIT FIRE PROTECTION	-	-	-	0.32	5.16	102.97	445.20	886.82	884.46	840.07	1,616.01
OVADA COMMUNITY SERVICES GID	-	-	-	2.85	48.85	977.45	4,482.84	8,863.00	7,848.93	7,807.50	7,590.59
OVADA FIRE PROTECTION	-	-	-	3.56	81.02	1,221.06	5,575.09	11,071.89	9,805.08	9,753.33	9,482.36
RADISE FIRE PROTECTION	-	-	-	3.58	107.87	1,030.74	4,336.26	8,515.43	7,099.38	7,675.98	6,570.13
EBLO FIRE PROTECTION	-	-	-	0.91	32.51	253.90	1,051.00	2,103.00	2,198.95	2,038.64	4,999.53
JENMUCCA RURAL FIRE PROTECTION	-	-	-	26.45	966.78	5,457.59	24,316.59	45,082.49	36,640.70	40,515.80	35,017.82
IAL HUMBOLDT COUNTY	-	-	-	1,842.86	45,851.82	437,557.53	1,894,895.51	3,678,837.86	3,307,580.69	3,463,351.20	3,363,917.68
3 COUNTY OF LANDER	-	-	-	-	-	-	-	-	-	-	-
TERPRISE DISTRICT	-	-	-	-	-	-	-	-	-	-	-
NDER CO SEWER IMPR DISTRICT #2	-	-	-	-	-	-	-	-	-	-	-
CAL GOVERNMENTS	-	-	-	-	-	-	-	-	-	-	-
NDER COUNTY	5,847.19	-	-	-	-	-	303,440.30	447,410.40	917,551.85	685,136.66	816,040.68
STIN	28.75	-	-	-	-	-	1,333.65	2,099.63	3,841.49	2,754.94	3,106.45
TTLE MOUNTAIN	439.70	-	-	-	-	-	17,984.41	27,559.43	51,359.68	39,618.76	47,084.30
IGSTON	40.38	-	-	-	-	-	77,212.57	2,871.31	5,241.84	3,821.96	4,620.92
ECIAL DISTRICTS	-	-	-	-	-	-	-	-	-	-	-
NDER HOSPITAL DISTRICT	1,277.42	-	-	-	-	-	62,753.26	92,192.39	180,828.00	134,221.95	188,342.13
IAL LANDER COUNTY	8,533.44	-	-	-	-	-	482,704.19	572,073.15	1,158,822.71	885,554.27	1,029,144.47

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
1,474,932.88	3,155,337.48	14,887,817.52
572,518.56	1,207,976.40	5,937,822.22
53,579.39	117,255.90	520,157.49
4,935.47	10,268.71	53,774.80
159,846.84	331,237.14	1,489,284.47
563.66	1,164.00	6,518.66
5,045.04	10,760.81	53,407.66
6,302.39	13,442.58	66,718.44
5,119.11	10,722.08	51,180.57
1,346.91	2,937.47	16,952.79
26,404.33	56,809.87	272,898.43
2,304,995.87	4,817,712.54	23,356,543.26
719,621.54	279,485.81	4,175,534.53
2,688.19	1,031.87	16,824.96
40,289.10	15,574.51	239,849.74
3,823.80	1,494.04	99,125.61
137,947.23	53,648.56	821,110.92
904,379.95	351,134.79	5,352,446.96

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
THE COUNTY OF LINCOLN											
LOCAL GOVERNMENTS											
LINCOLN COUNTY											
CALIENTE	63,776.88	32,891.02	-	52,235.61	40,926.10	25,333.50	97,483.88	164,433.67	124,792.53	109,126.19	49,801.24
ALAMO	6,703.41	4,126.73	-	5,985.35	5,266.39	3,168.69	13,239.30	18,296.75	13,204.38	11,181.14	3,503.60
PANACA	1,081.43	698.84	-	1,371.64	905.90	917.48	2,359.17	2,881.56	2,044.51	1,860.96	631.11
PIOCHE	1,982.68	1,431.70	-	3,413.04	2,530.32	1,818.82	3,106.66	4,919.13	3,676.57	3,256.54	1,214.35
	2,787.75	1,584.51	-	2,406.83	988.91	806.00	2,471.73	6,504.72	4,915.67	4,648.12	3,166.74
SPECIAL DISTRICTS											
LINCOLN COUNTY HOSPITAL DISTRICT	5,595.02	3,405.01	-	5,400.87	4,628.19	3,119.30	13,021.12	17,683.02	13,815.48	11,488.78	4,626.73
PAHRANAGAT VALLEY FIRE PROTECTION	2,504.85	1,316.78	-	2,780.32	2,204.30	1,585.76	5,552.66	6,801.95	4,208.23	4,208.23	1,517.46
PIOCHE FIRE PROTECTION	1,481.13	777.29	-	1,032.97	788.96	567.52	2,519.39	3,782.65	2,771.46	2,474.64	1,356.90
TOTAL LINCOLN COUNTY	86,853.16	45,341.89	-	74,646.44	56,260.07	37,317.08	140,853.94	225,255.65	169,537.63	148,193.60	65,818.14
THE COUNTY OF LYON											
ENTERPRISE DISTRICTS											
STAGECOACH GID	-	-	-	-	-	-	-	-	-	-	-
WILLOWCREEK GID	-	-	-	-	-	-	-	-	-	-	-
LOCAL GOVERNMENTS											
LYON COUNTY											
YERINGTON	1,384,698.29	333,016.50	506,540.00	974,040.89	1,481,938.69	2,162,266.61	3,503,805.26	4,978,511.53	5,065,113.51	5,414,658.67	4,666,699.99
FERNLEY	38,599.83	9,391.03	13,886.25	20,990.69	24,092.22	22,786.97	11,684.10	12,809.22	39,043.58	60,248.65	61,713.73
	14,937.45	3,763.82	6,108.59	13,567.88	23,165.78	36,431.54	59,289.07	82,801.28	77,066.82	85,737.23	66,215.23
SPECIAL DISTRICTS											
CARSON-TRUCKEE WATER CONSERVANCY	962.00	230.66	351.89	657.40	943.10	1,268.46	1,878.90	2,712.80	2,632.66	2,983.75	2,546.99
CENTRAL LYON FIRE PROTECTION	50,111.13	11,800.64	17,923.01	30,358.32	38,486.98	49,273.30	82,538.59	119,879.74	136,771.99	149,358.15	135,801.14
MASON VALLEY FIRE PROTECTION	7,198.43	1,724.95	2,666.63	4,076.45	4,369.75	4,549.74	3,641.63	4,428.98	6,660.61	8,704.75	9,242.29
MASON VALLEY MOSQUITO ABATEMENT	5,366.63	1,625.05	2,272.26	3,517.21	3,828.04	3,927.70	2,952.81	3,696.08	6,125.82	7,581.25	7,995.83
NORTH LYON FIRE PROTECTION	14,769.89	9,654.52	5,690.04	11,800.88	18,975.41	25,577.45	33,707.46	47,241.00	44,197.48	51,026.52	41,900.98
SILVER SPRINGS STAGECOACH HOSPITAL	7,457.83	1,963.02	2,973.67	5,185.24	6,742.01	8,170.71	8,232.76	11,408.49	13,121.62	21,017.10	20,465.32
SMITH VALLEY FIRE PROTECTION	5,211.61	1,248.69	1,873.20	3,188.00	3,724.15	4,678.71	6,448.96	13,023.23	16,545.39	15,045.22	13,282.43
SOUTH LYON HOSPITAL DISTRICT	25,328.69	6,309.21	9,424.60	14,629.29	16,066.96	17,723.65	14,863.81	25,923.05	35,878.78	38,525.60	36,025.90
TOTAL LYON COUNTY	1,556,633.08	374,624.08	569,570.02	1,081,912.25	1,622,280.08	2,326,654.83	3,729,094.35	5,302,237.52	5,443,161.27	5,854,881.88	5,064,029.82

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
-	-	-
-	-	760,800.84
-	-	-
-	-	84,897.75
-	-	-
-	-	14,732.81
-	-	27,347.81
-	-	30,371.96
-	-	-
-	-	83,233.33
-	-	34,290.36
-	-	17,602.92
-	-	-
-	-	1,053,077.59
-	-	-
-	-	-
3,574,620.20	1,652,303.16	35,688,354.40
62,711.04	39,673.97	417,431.27
53,164.50	22,511.38	546,763.58
-	-	-
1,882.77	713.18	19,714.53
95,552.90	43,494.95	961,235.83
8,100.23	5,319.57	70,824.92
7,425.71	4,967.45	62,201.86
31,615.97	10,918.05	341,005.75
19,618.88	10,696.60	135,999.34
10,753.00	6,023.20	100,985.78
32,072.15	18,423.62	293,184.42
3,896,477.44	1,816,055.01	39,637,571.53



NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
JE COUNTY OF MINERAL SAL GOVERNMENTS ERAL COUNTY	57,164.57	-	-	-	-	-	-	12,287.52	-	-	-
ECIAL DISTRICTS IERAL COUNTY HOSPITAL DISTRICT	3,314.17	-	-	-	-	-	-	763.18	-	-	-
IAL MINERAL COUNTY	60,478.74	-	-	-	-	-	-	13,030.70	-	-	-
JE COUNTY OF NYE SAL GOVERNMENTS E COUNTY	1,259,547.87	330,978.01	514,606.92	696,680.39	1,004,941.77	1,681,482.35	3,027,038.47	3,858,059.74	4,323,400.86	2,636,136.93	995,308.92
3BS	9,410.92	2,203.35	3,788.92	4,410.64	3,830.66	2,799.18	9,771.82	27,547.78	30,794.95	16,524.03	7,053.90
ARGOSA	12,972.22	3,399.03	4,422.59	6,365.90	5,610.26	7,219.02	22,206.35	36,817.85	39,961.68	23,326.29	8,738.97
ATTY	39,285.52	9,607.39	13,964.32	16,122.33	11,383.44	9,381.03	33,497.38	92,413.53	118,470.61	70,263.53	26,908.23
NHATTAN	408.17	109.65	170.07	265.83	277.52	326.22	858.35	1,561.32	1,639.47	980.58	414.19
HRUMP	84,152.72	22,017.03	37,408.92	49,079.67	82,796.86	154,483.52	260,573.64	290,191.24	290,401.33	177,877.69	66,634.50
UND MOUNTAIN	26,732.47	7,215.78	11,101.29	14,953.65	14,852.78	19,548.41	27,594.63	71,573.68	77,920.34	46,181.04	18,231.55
NOPAH	31,778.90	9,147.76	10,628.80	16,616.61	13,639.55	9,581.97	32,954.99	69,971.61	101,685.75	59,292.51	23,132.20
ECIAL DISTRICTS ARGOSA LIBRARY DISTRICT ATTY LIBRARY DISTRICT E HOSPITAL	909.27	226.48	325.59	447.63	316.89	273.20	1,830.53	3,053.87	3,249.50	1,389.17	701.45
HRUMP COMMUNITY HOSPITAL	22,671.07	158.86	225.31	283.71	200.84	169.94	611.84	1,750.19	2,034.43	1,199.12	450.72
HRUMP LIBRARY DISTRICT	7,380.22	1,870.91	2,947.47	4,165.22	5,541.54	9,160.01	16,786.66	23,455.07	-	-	-
HRUMP SWIM POOL GID	10,653.59	2,847.22	4,257.32	6,020.61	8,004.23	13,230.78	24,203.41	33,878.65	37,207.08	22,829.17	8,585.09
OKY VALLEY LIBRARY DISTRICT	6,228.48	1,865.78	2,490.47	3,521.88	4,682.38	7,739.84	14,158.70	19,818.60	21,765.70	13,354.79	5,010.47
NOPAH LIBRARY DISTRICT	2,439.87	552.96	1,012.80	1,377.18	1,328.41	2,380.42	3,242.81	7,649.51	8,285.79	4,701.76	1,815.79
242.47	62.40	96.04	132.21	129.49	129.49	171.66	425.83	751.71	801.24	473.63	178.65
IAL NYE COUNTY	1,515,446.10	382,161.00	606,846.82	820,417.46	1,157,537.62	1,917,947.54	3,475,725.40	4,528,304.43	5,057,618.74	3,075,042.24	1,163,036.73
JE COUNTY OF PERSHING SAL GOVERNMENTS SHING COUNTY	196,566.60	126,889.64	-	34,436.14	86,782.56	2,293.97	56,484.86	46,208.10	10,288.81	54,962.79	32,239.91
ELOCK	35,885.71	21,470.07	-	4,436.81	6,951.69	85.36	10,705.15	8,759.31	53,686.29	72,546.66	11,505.45
ECIAL DISTRICTS SHING COUNTY HOSPITAL DISTRICT	24,671.26	15,181.56	-	3,656.02	7,623.92	59.88	7,424.00	6,168.97	436.44	3,249.01	3,660.96
IAL PERSHING COUNTY	257,123.58	169,541.27	-	42,530.97	101,358.17	2,439.21	74,614.01	61,136.38	64,411.54	130,758.46	47,406.32

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

2010	2011	GRAND TOTAL
-	-	-
-	-	69,432.09
-	-	-
-	-	4,077.35
-	-	-
-	-	73,509.44
-	-	-
42,819.42	1,048,753.29	21,417,791.92
331.57	8,714.80	127,182.51
382.68	10,171.96	181,594.70
1,166.01	29,827.73	471,301.12
17.89	477.89	7,498.13
2,875.19	69,438.18	1,557,981.50
784.08	21,165.07	357,864.87
1,008.14	26,265.84	425,704.62
-	-	-
28.94	787.50	14,050.02
19.69	512.48	8,238.49
-	-	22,671.07
-	-	71,380.11
370.92	9,039.34	181,107.39
216.96	6,287.91	105,942.08
78.13	2,092.16	37,057.97
7.80	206.81	3,879.95
50,107.43	1,230,741.96	24,990,936.48
-	-	-
-	-	647,153.39
-	-	-
-	-	226,032.49
-	-	-
-	-	72,134.03
-	-	945,319.91

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
<u>COUNTY OF STOREY</u>											
<u>GOVERNMENTS</u>											
<u>OREY COUNTY</u>	40,739.71	24,034.89	92,471.43	210,929.87	132,900.17	144,806.22	338,995.18	529,291.13	544,851.21	981,728.14	388,022.88
<u>SPECIAL DISTRICTS</u>											
<u>IRON-TRUCKEE WATER CONSERVANCY</u>	12.89	7.60	32.95	92.21	165.68	236.26	548.85	200.00	189.26	271.52	107.50
<u>CAL STOREY COUNTY</u>	40,752.10	24,042.49	92,504.38	211,022.08	133,066.85	144,842.48	339,544.03	529,491.13	544,840.47	981,999.66	388,130.38
<u>COUNTY OF WASHOE</u>											
<u>ENTERPRISE DISTRICTS</u>											
<u>VALLEY WATER/SANITATION GID</u>	-	-	-	-	-	-	-	-	-	-	-
<u>RDI TELEVISION GID</u>	-	-	-	-	-	-	-	-	-	-	-
<u>AMON VALLEY UNDERGROUND WATER</u>	-	-	-	-	-	-	-	-	-	-	-
<u>GOVERNMENTS</u>											
<u>SHOE COUNTY</u>	6,028,875.60	2,696,215.28	1,135,113.84	1,224,804.18	3,027,122.99	10,104,859.00	18,925,987.55	24,410,117.82	18,396,575.30	8,173,797.99	241,573.45
<u>NO</u>	3,395,016.74	1,521,011.39	659,222.33	688,662.54	1,737,812.19	5,284,458.88	9,378,901.43	10,790,046.34	9,328,735.52	4,189,635.05	137,522.73
<u>ARKS</u>	1,444,078.73	648,866.78	275,504.11	284,228.62	747,264.38	2,854,397.71	4,747,123.46	5,615,749.72	5,648,520.19	2,516,968.84	70,081.17
<u>SPECIAL DISTRICTS</u>											
<u>IRON-TRUCKEE WATER CONSERVANCY</u>	11,639.39	5,242.27	2,144.84	2,151.22	4,820.37	14,734.39	22,659.84	33,656.17	26,038.86	12,237.61	367.78
<u>LINE VILLAGE GID</u>	82,702.76	36,906.55	15,006.59	15,401.16	39,953.96	143,897.60	259,461.16	321,474.54	225,647.03	69,493.45	1,510.44
<u>WTH LAKE TAHOE FIRE PROTECTION</u>	227,505.62	101,505.44	41,513.14	43,125.76	110,444.43	393,551.08	710,206.22	886,335.40	594,000.17	189,488.66	4,135.25
<u>DOMINO VALLEY GID</u>	12,048.40	5,389.69	2,275.19	2,221.77	4,953.65	14,233.83	27,398.82	29,205.97	33,943.41	29,575.61	805.98
<u>RRR FOREST FIRE PROTECTION</u>	95,218.61	42,561.97	17,628.17	21,002.90	58,092.25	197,601.42	330,886.79	386,317.05	267,399.60	97,314.02	3,037.51
<u>CKEE MEADOWS FIRE PROTECTION</u>	389,046.36	178,443.33	72,066.21	72,835.09	152,668.04	492,824.88	887,476.35	1,452,079.72	883,113.58	500,560.05	13,789.98
<u>CAL WASHOE COUNTY</u>	11,686,132.20	5,236,072.70	2,220,476.42	2,354,234.25	5,883,072.85	19,000,119.36	35,285,051.62	44,925,182.73	35,403,973.66	15,781,059.28	472,924.18
<u>COUNTY OF WHITE PINE</u>											
<u>GOVERNMENTS</u>											
<u>ITE PINE COUNTY</u>	155,425.15	-	-	-	-	-	228,203.33	406,713.40	1,055,283.77	695,550.38	629,984.05
<u>ITE PINE COUNTY</u>	48,187.06	-	-	-	-	-	80,560.45	145,116.23	319,956.56	114,396.23	138,094.55
<u>ITE PINE COUNTY</u>	695.65	-	-	-	-	-	1,179.93	2,065.93	3,854.94	758.87	2,322.65
<u>GILL</u>	2,340.46	-	-	-	-	-	4,071.74	7,234.71	12,825.62	16,126.15	6,473.82
<u>TH</u>	840.84	-	-	-	-	-	1,406.33	2,500.91	3,884.09	10,013.81	1,079.81
<u>SPECIAL DISTRICTS</u>											
<u>ITE PINE HOSPITAL DISTRICT</u>	20,071.29	-	-	-	-	-	31,350.31	52,930.04	124,521.47	10,131.31	66,533.01
<u>CAL WHITE PINE COUNTY</u>	227,860.44	-	-	-	-	-	346,764.09	616,561.22	1,520,326.45	846,976.75	844,587.99

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
146,881.30	-	-
		3,575,352.15
43.32	-	-
		1,907.53
147,024.63	-	-
		3,577,259.68
-	-	-
-	-	-
-	-	-
-	-	-
-	803,591.75	95,168,634.75
-	468,849.40	47,564,874.47
-	241,424.68	25,596,196.39
-	-	-
-	1,065.32	136,958.66
-	2,020.56	1,213,005.81
-	4,114.77	3,303,925.96
-	3,344.48	165,416.71
-	11,752.48	1,528,653.76
-	36,713.19	5,141,508.38
-	1,572,876.65	179,821,174.89
-	-	-
255,692.80	379,837.83	3,836,692.72
94,194.31	124,252.26	1,064,757.77
1,382.46	1,634.90	14,075.33
4,666.66	6,222.09	59,661.25
1,668.00	2,266.46	23,660.26
-	-	-
34,204.47	45,684.61	385,526.70
421,768.69	560,108.38	5,354,674.02

# EXHIBIT 14

# EXHIBIT 14

1 BRENDA J. ERDOES, Legislative Counsel  
2 KEVIN C. POWERS, Chief Litigation Counsel  
3 Nevada Bar No. 6781  
4 J. DANIEL YU, Principal Deputy Legislative Counsel  
5 Nevada Bar No. 10806  
6 LEGISLATIVE COUNSEL BUREAU, LEGAL DIVISION  
7 401 S. Carson Street  
8 Carson City, NV 89701  
9 Tel: (775) 684-6830; Fax: (775) 684-6761  
10 kpowers@lcb.state.nv.us; Dan.Yu@lcb.state.nv.us  
11 *Attorneys for Defendant Legislature of the State of Nevada*

12 **IN THE FIRST JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
13 **IN AND FOR CARSON CITY**

14 CITY OF FERNLEY, NEVADA, a  
15 Nevada municipal corporation,

16 Plaintiff,

17 vs.

18 STATE OF NEVADA ex rel. THE NEVADA  
19 DEPARTMENT OF TAXATION; THE  
20 HONORABLE KATE MARSHALL, in her  
21 official capacity as TREASURER OF THE  
22 STATE OF NEVADA; THE LEGISLATURE OF  
23 THE STATE OF NEVADA; and DOES 1-20,  
24 inclusive,  
25 Defendants.

Case No. 12 OC 00168-1B  
Dept. No. 1

26 **DEFENDANT NEVADA LEGISLATURE'S RESPONSE**  
27 **TO PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS (Nos. 1-36)**

28 Defendant, the Legislature of the State of Nevada (Legislature), by and through its counsel the  
29 Legal Division of the Legislative Counsel Bureau under NRS 218F.720, hereby submits the following  
30 Response to Plaintiff's First Request for Admissions (Nos. 1-36) (First Request) pursuant to NRCP 36:

1       18.   **REQUEST FOR ADMISSION NO. 18:** Please admit that SB 254 required that when a  
2 new local governmental entity was formed the distribution of C-Tax to that entity was based upon the  
3 service level needs of its citizens.

4       **RESPONSE:** Objection. This request calls for a legal conclusion as to the statutory  
5 requirements set forth in SB 254. This request is also irrelevant. Additionally, the legislative history of  
6 SB 254, available as public records and previously disclosed by the Legislature in its pleadings, speaks  
7 for itself. Therefore, the Legislature does not admit nor deny.

8       19.   **REQUEST FOR ADMISSION NO. 19:** Please admit that, as enacted, SB 254 does not  
9 restrict the way in which local governmental entities may utilize C-Tax revenues.

10       **RESPONSE:** Objection. This request calls for a legal conclusion as to the statutory  
11 requirements set forth in SB 254. The legislative history of SB 254, available as public records and  
12 previously disclosed by the Legislature in its pleadings, speaks for itself. This request is also irrelevant.  
13 Therefore, the Legislature does not admit nor deny.

14       20.   **REQUEST FOR ADMISSION NO. 20:** Please admit that C-Tax revenues, under Nevada  
15 law, may be used for general operating expenses by local governmental entities.

16       **RESPONSE:** Objection. This request calls for a legal conclusion as to the proper use of C-  
17 Tax revenues pursuant to applicable statutes. The plain language of the relevant statutes speaks for  
18 itself. Therefore, the Legislature does not admit nor deny.

19       21.   **REQUEST FOR ADMISSION NO. 21:** Please admit that Fernley, Nevada was  
20 incorporated as a Nevada municipality in 2001.

21       **REQUEST:** Based on information known to the Legislature, the Legislature responds as  
22 follows: Admit.

23       22.   **REQUEST FOR ADMISSION NO. 22:** Please admit that Fernley, Nevada is the only  
24 municipality to incorporate in Nevada since the enactment of SB 254.

1           **RESPONSE:** The Legislature is not aware of any other municipality in Nevada that has  
2 incorporated since the passage of SB 254 and therefore the Legislature responds as follows: Admit.

3           23. **REQUEST FOR ADMISSION NO. 23:** Please admit that C-Tax distributions are not  
4 related to the provision of any particular category or type of expense by a local governmental entity.

5           **RESPONSE:** Objection. This request calls for a legal conclusion. The plain language of  
6 the relevant statutes speaks for itself. This request is also irrelevant. Subject to and without waiver of  
7 the objections, the Legislature responds as follows: Deny.

8           24. **REQUEST FOR ADMISSION NO. 24:** Please admit that the distribution of C-Tax  
9 revenue is not contingent upon the provision of any particular service by a local governmental entity.

10           **RESPONSE:** Objection. This request calls for a legal conclusion. The plain language of  
11 the relevant statutes speaks for itself. This request is also irrelevant. Subject to and without waiver of  
12 the objections, the Legislature responds as follows: Deny.

13           25. **REQUEST FOR ADMISSION NO. 25:** Please admit that local governments have the  
14 discretion to use C-Tax revenue for Public Safety but are not obligated to do so.

15           **RESPONSE:** Objection. This request calls for a legal conclusion. The plain language of  
16 the relevant statutes speaks for itself. This request is also irrelevant. Therefore, the Legislature does not  
17 admit or deny.

18           26. **REQUEST FOR ADMISSION NO. 26:** Please admit that, prior to the enactment of SB  
19 254, the Legislature did not conduct a study to examine whether or not the prior formula for revenue  
20 distribution was adequate for the services provided by local government entities at that time.

21           **RESPONSE:** Objection. This request seeks information protected by legislative privilege  
22 and immunity and the deliberative process privilege. This request is also irrelevant. Additionally, this  
23 request is vague, ambiguous and overly broad with respect to the term "adequate." Finally, the  
24 legislative history of previous legislative sessions leading to the passage of SB 254 is available as public



# EXHIBIT 15

# EXHIBIT 15

1 IN THE FIRST JUDICIAL DISTRICT COURT  
2 OF THE STATE OF NEVADA  
3 IN AND FOR THE COUNTY OF CARSON CITY

4 -o0o-

5  
6 CITY OF FERNLEY, NEVADA,  
7 a Nevada municipal corporation,

**CERTIFIED COPY**

8 vs. Plaintiff,

Case No. 12 OC 00168 1B  
Dept. No. I

9 STATE OF NEVADA ex rel. THE  
10 NEVADA DEPARTMENT OF TAXATION;  
11 THE HONORABLE KATE MARSHALL,  
12 in her official capacity as  
13 TREASURER of the STATE OF  
14 NEVADA; and DOES 1-20,  
15 inclusive,

16 Defendants.

17  
18 \_\_\_\_\_/  
19  
20 Pages 1 to 153, inclusive.

21  
22  
23 **DEPOSITION OF MARIAN HENDERSON**

24 \_\_\_\_\_  
25  
26 Wednesday, November 13, 2013  
27 Carson City, Nevada

28 REPORTED BY:

CHRISTINA AMUNDSON  
CCR #641 (Nevada)  
CSR #11883 (California)

1 and think?

2 A No.

3 Q All right.

4 (Deposition Exhibit 1 marked for  
5 identification.)

6 BY MR. VELLIS:

7 Q I'm showing you what's been marked as Exhibit 1.  
8 It's the Amended Notice of Deposition of the Person Most  
9 Knowledgable of the Nevada Department of Taxation. And  
10 you understand that you've been designated as that person,  
11 correct?

12 A Yes.

13 Q All right. Now, I want you to look at the last  
14 page, which is Attachment A, and it has the subject  
15 matter. I want to go through these with you a little bit  
16 to determine your role in this.

17 Number one says "The local government tax  
18 distribution account, or C-Tax system, in the collection  
19 and distribution of taxes created pursuant to and defined  
20 by NRS 360.660." Do you see that?

21 A Yes.

22 Q Are you the person most knowledgeable regarding  
23 that topic?

24 A I'm not sure I agree with the NRS cite but, yes,  
25 I am the person most knowledgeable on the topic.

1 A Yes, I have.

2 Q Are you the person most knowledgeable about the  
3 factual basis that supports those affirmative defenses --

4 MS. NICHOLS: Objection.

5 BY MR. VELLIS:

6 Q -- at the Department of Taxation?

7 MS. NICHOLS: Objection. Calls for a legal  
8 conclusion, but you can answer.

9 THE WITNESS: Yes, I believe I am.

10 BY MR. VELLIS:

11 Q Okay. And then the last category is "Any and  
12 all communication between you" -- the Department of  
13 Taxation -- "and the City of Fernley incorporation  
14 committee."

15 A That would be Terry Rubald.

16 Q Okay. And who exactly is Terry Rubald?

17 A She is the Deputy Executive Director of Local  
18 Government Services for the Department of Taxation.

19 Q Okay. Let me ask you: So the categories I've  
20 marked down that you have knowledge about or you're the  
21 person most knowledgeable and can speak for the Department  
22 of Taxation is No. 1, partially No. 4, partially No. 5,  
23 No. 7, No. 10, No. 11 and No. 13 and No. 8.

24 (Witness reviewing document.)

25 BY MR. VELLIS:

1 Q Correct?

2 A Yes.

3 Q Okay. Now, I asked you on the first one and

4 I'll now follow-up on the rest of these. Regarding

5 Category No. 4 for the partial information that you may

6 have on that, did you do anything to prepare for your

7 testimony today to answer questions about Category No. 4?

8 A No.

9 Q Okay. Didn't talk to anybody?

10 A No.

11 Q Didn't look at any documents?

12 A Not -- not specifically to prepare.

13 Q Okay. So what you're testifying from is just

14 your general knowledge that you have?

15 A Yes.

16 Q No. 5, the same thing, did you do anything to

17 prepare for the deposition today in order to answer

18 questions regarding Category No. 5?

19 A No, I did not.

20 Q All right. Didn't talk to anybody, didn't look

21 at documents, didn't do anything special to get

22 information so that you could respond to questions on

23 Category 5?

24 A No.

25 Q Okay. No. 7, the same. Did you do anything to

1 (Discussion off the record.)

2 BY MR. VELLIS:

3 Q What's your job title, ma'am?

4 A Management Analyst II.

5 Q What do you do in that position? What are your  
6 functions?

7 A Primarily I prepare the distribution for  
8 consolidated tax and for a number of other smaller taxes.  
9 I'm also responsible for compiling statistical information  
10 for the Department.

11 Q What kind of statistical information?

12 A Tax distributions, some revenue projections, the  
13 department's annual report.

14 Q And are the tax distributions related to C-Tax  
15 distributions?

16 A C-Tax is a portion of that.

17 Q Okay. And do the revenue projections have  
18 anything to do with the C-Tax?

19 A Yes, the portion that I prepare is all C-Tax.

20 Q On the revenue projections?

21 A Yes.

22 Q Okay.

23 A I prepare one section of a larger report.

24 Q Okay. And what section of that larger report do  
25 you prepare?

1 A Consolidated tax.

2 Q Okay. And what's the larger report that we're  
3 talking about?

4 A The annual revenue projections to local  
5 governments.

6 Q Okay. Any other statistical information that  
7 you prepare other than the tax distributions and the  
8 revenue projections?

9 A Yes.

10 Q Okay. What?

11 A We track tax distributions by county, by tax  
12 type, by tax component.

13 Q By county, tax type --

14 A Uh-huh.

15 Q -- and component?

16 A And component.

17 Q When you say "component," what do you mean?

18 A Well, the consolidated tax has six components  
19 that are distributed together.

20 Q Okay. And when you say "tax type," what do you  
21 mean?

22 A Tax type is sales tax, other tobacco products,  
23 net proceeds of mining.

24 Q Okay. And do those have anything to do with  
25 C-Tax?

1 A The sales tax does.

2 Q Okay.

3 A Real property transfer tax.

4 Q Right.

5 A Cigarette excise tax and liquor excise tax.

6 Q Okay. Are there any other tax types that you

7 deal with that don't have anything to do with C-Tax?

8 A Yes.

9 Q What?

10 A Net proceeds of minerals centrally assessed.

11 Q Okay.

12 A And all of the excise taxes, with the exception

13 of cigarette and liquor.

14 Q Okay. And you say you track these tax

15 distributions.

16 A Uh-huh.

17 Q How do you track them?

18 A In spreadsheets.

19 Q Okay. But, I mean, where do you get the

20 information from to track them?

21 A It comes from various sources and reports within

22 the Department.

23 Q Okay. Which ones?

24 A Which tax?

25 Q That's a good point. I was going to ask you, In



1 relation to C-Tax, where do you get the information from  
2 for the spreadsheets?

3 A The cigarette and liquor excise tax information  
4 comes from our tax distribution system. We call it "TAS,"  
5 Tax Administration System, our computer system, T-A-S.

6 Q Okay.

7 A And it also comes from cigarette and liquor  
8 excise tax examiners.

9 Q And who are the examiners?

10 A The Department staff.

11 Q Okay. Do you know who any of them are, their  
12 names?

13 A Yes, I do.

14 Q Who are they?

15 THE WITNESS: Do I have to provide that?

16 MS. NICHOLS: Yes. They have to state  
17 employees.

18 THE WITNESS: Okay. For cigarette and liquor?

19 BY MR. VELLIS:

20 Q Yes.

21 A Brandy Delaney, Claudia Olivares and for liquor  
22 is Brian Deem.

23 Q D-e-e-m.

24 A And Nancy Ravert.

25 Q Can you spell the last name?

1 A R-a-v, like "Victor," e-r-t.

2 Q Okay. And that's where you get the information  
3 for the cigarette tax, correct?

4 A I get information from the tax examiners and I  
5 also get reports from the TAS system.

6 Q Right. For the other taxes in the C-Tax system,  
7 where do you get the information that you use for the  
8 spreadsheets?

9 A Real property transfer tax, RPTT. Is it okay to  
10 use abbreviations.

11 Q As long as you tell me what it is first, yeah.

12 A Okay. The RPTT comes from county treasurers, is  
13 reported to the state controller and then that information  
14 is disseminated to the Department by the controller's  
15 office.

16 Q Okay. Anything else?

17 A Basic Government Services Tax, GST, comes from  
18 Department of Motor Vehicles. I receive a monthly report  
19 with the breakdown by county and it -- Government Services  
20 Tax has several distributions. I only distribute the  
21 portion that goes to counties, so they itemize that for  
22 me.

23 Q Okay. Now, the GST, you said that came from a  
24 report. What was the report that it comes from?

25 A The one from DMV?

1 Q DMV, yes. What kind of report is that?

2 A Actually, it's an 18-page report, one page for  
3 each county and one page for Boulder City that itemizes  
4 out the tax received, the percentages that they apply per  
5 statute and the dollar amounts that are distributed.

6 Q Okay. Now, what was the other taxes that you  
7 handle?

8 A So RBTT, GST --

9 Q Cigarettes?

10 A -- cigarettes, liquor, and -- oh, sales tax.

11 Q Okay.

12 A So sales tax has two components that distribute  
13 a portion to C-Tax and that's Basic City, County Relief  
14 Tax, BCCRT.

15 Q Okay.

16 A And Supplemental City, County Relief Tax, SCCRT.

17 Q And where do you get the information for those?

18 A That information comes out of our TAS system.

19 Q Okay. What is the TAS system again?

20 A It's a computer system that processes tax  
21 returns.

22 Q And it keeps information on collection of taxes  
23 in the six categories that make up the C-Tax?

24 A No, not on all six categories.

25 Q Just some?

1 A The sales tax, SCCRT, BCCRT, liquor tax and a  
2 portion of cigarette excise tax.

3 Q Okay.

4 A Cigarette excise tax has two components. It  
5 tracks the permit fees.

6 Q Okay. Now, the sales tax, you get information  
7 related -- I think you said to the county -- is that  
8 correct? -- from the counties?

9 A No. That's RPTT comes from the counties.

10 Q The sales tax, what kind of information do you  
11 get?

12 A By county I get information on taxes, penalty  
13 and interest and fees that are collected. I also get a  
14 breakdown of what percentage of sales -- or what amount of  
15 sales are from instate companies and what amount of sales  
16 came from out-of-state companies.

17 Q Okay.

18 A I get taxable sales statistics, which is the  
19 amount of sales that take place in each county by  
20 category, and the categories are called the "NAICS," North  
21 American Industrial Classification System.

22 Q Do you ever get sales tax information by cities?

23 A No.

24 Q Could you get that?

25 A No.

1 say the SB-254 Committee, but I'm not sure if that's what  
2 they were officially called --

3 Q Okay.

4 A -- that gathered a lot of data on the different  
5 tax types, looked at the history of the amount that each  
6 one of these local governments had been receiving, and  
7 determined the base amounts on those factors.

8 Their goal was to make the first year revenue  
9 neutral so most of the counties got approximately the same  
10 amount of distribution from those six tax types in fiscal  
11 1999 as they did in fiscal '97 and '98.

12 Q So the status quo?

13 A Yes.

14 Q Okay. So the participants that were in it -- in  
15 the system prior to the C-Tax, and then after the C-Tax  
16 the same groups got basically the status quo, the same  
17 amount that they got?

18 A Yes. The same proportion.

19 Q Okay. Now, how about the local entities, the  
20 enterprise groups and local governments?

21 A Well --

22 Q Is there a percentage that sets their base as  
23 well, just like the counties, or how does that work?

24 A Enterprise districts receive a flat amount each  
25 year that we just divide by 12 and they get the same

1 A Yes. It was revenue neutral from the two prior  
2 fiscal years.

3 Q So it's the same thing. The towns and cities  
4 that came into the system had a previous kind of base  
5 amount that they were using from the two years prior to  
6 the C-Tax and that amount was used to establish their base  
7 amount under the C-Tax.

8 A In general, yes.

9 Q Okay. So it was the status quo, the same thing  
10 again, correct?

11 A Yes.

12 Q Okay. And in setting these base amounts, you  
13 said there's a percentage that they use to set the base  
14 amount. Is that what you said?

15 A No.

16 Q All right. Explain to me what the base amount  
17 for a local town or city is.

18 A Was basically revenue neutral from the prior two  
19 fiscal years. The percentage is when we put all of those  
20 counties, cities, towns and special districts and their  
21 base amount, we add that up to get the whole and then each  
22 one of those gets a percentage of the whole.

23 Q Okay. And how did you figure out for a  
24 particular town or city what percentage they would get?  
25 What was the criteria that was used?

1 MS. NICHOLS: Objection. Assumes facts.

2 BY MR. VELLIS:

3 Q You can tell me if I'm wrong. Was there a  
4 criteria to determine what the percentage was for a  
5 particular town or city that it would get out of the  
6 whole?

7 A No. No percentages were determined.

8 Q All right. Then how did you take the whole and  
9 figure out for a particular town, Las Vegas, how much it  
10 would get out of the whole?

11 A It was basically revenue neutral from the two  
12 prior fiscal years.

13 Q Okay. So whatever they got before, they got  
14 again?

15 A Yes.

16 Q Okay. And did the base that they got under this  
17 neutral system go on into the future as to something they  
18 would always get?

19 A It's re-determined each year and adjusted by  
20 consumer price index.

21 Q So it goes up?

22 A Yes.

23 Q So they always have kind of a flat line base  
24 that they established the first time they were in the  
25 C-Tax and they get that amount. It's based on the prior

1 couple years and then it goes up under the CPI?

2 A In general, yes.

3 Q Okay. There's an excess component that's paid  
4 into these groups as well.

5 A Yes.

6 Q Where does that come from?

7 A That is any money that is received in that  
8 county bucket that's above the amount of their total base  
9 distribution --

10 Q The county's base?

11 A -- each month.

12 Q The county's base distribution?

13 A As a whole.

14 Q Okay. And how does that happen?

15 A Depending on where the base distribution is set,  
16 if they collect more than that monthly basis amount, then  
17 it goes into a different formula, the excess distribution.

18 Q All right. Does the county base change year to  
19 year or is it a static number subject to the CPI change?

20 A I'm not sure I understand the question.

21 Q Okay. You said the county comes in and gets  
22 their bucket, get their number, and it's revenue neutral  
23 from the two prior years and it's their base number that  
24 they get, correct?

25 A That they got in 1999.



1 A Yes.

2 Q Okay. So if my base is \$100 and I get an  
3 increase to \$104, next year's base is \$104?

4 A Yes.

5 Q And then the CPI would then be calculated on  
6 that as well?

7 A Correct.

8 Q Now, here's the other question: So now I've got  
9 my base that's \$100. I get my CPI that's \$4, so \$104, and  
10 I get an excess of \$10.

11 A Uh-huh.

12 Q So now I have \$114 for one year, right?

13 A Correct.

14 Q Okay. When I do the next year's calculations,  
15 is my base now \$114?

16 A No.

17 Q Okay. What happens--

18 A Your base is still \$104.

19 Q So the excess doesn't roll into the base for the  
20 following year?

21 A Up until fiscal year '15, the base did not roll  
22 into -- oh, that's not true.

23 Q Well, don't tell me something not true. My God.

24 A We just had a change in statute. So starting in  
25 fiscal '15, the excess amount will roll into the base and

1 be calculated for the base amount. But in the past it did  
2 not. Although, in '99 to -- I believe it was fiscal  
3 2002 -- the base did roll -- or the excess did roll into  
4 the base. And then there was a change to the statute so  
5 that we used only the prior year's base to calculate the  
6 next year's base.

7 Q And what year was it that that changed?

8 A I believe it was fiscal 2002.

9 Q Okay. So prior to that, the excess did not roll  
10 into the base?

11 A No. The excess did roll into the base until...

12 Q Okay. And then 2002 the excess now does not  
13 roll into the base?

14 A Correct.

15 Q So my example prior to 2002, when I add my \$100  
16 base and my \$4 CPI and then \$10 excess, prior to 2002 for  
17 the next year that would have been my base, \$114?

18 A Yes. Times one plus the CPI.

19 Q Okay. And now after 2002 the excess does not  
20 roll into that base calculation?

21 A Correct.

22 Q Okay. And so in that following year in your  
23 excess when we have the \$114 before 2002, if you were  
24 going to then figure the CPI, you would figure it on the  
25 \$114?

1 A That the committee considered all the different  
2 revenue sources and attempted to make base amounts that  
3 would keep it revenue neutral from the previous two fiscal  
4 years.

5 Q To your understanding was there anything else  
6 considered by this committee in setting the initial base  
7 amounts for local towns and cities?

8 A I don't know.

9 Q Okay. Do you know whether or not -- or do you  
10 have any understanding as the Department of Taxation about  
11 any particular services that needed to be provided by any  
12 local town or city in order to qualify for this base  
13 amount?

14 A Can you repeat the question?

15 Q Yeah. Do you know or do you have an  
16 understanding as the Department of Taxation whether or not  
17 in setting the initial base amounts for towns and cities  
18 there were any requirements for specific services that the  
19 town or city had to have in order to qualify for that base  
20 amount?

21 MS. NICHOLS: Objection. It calls for  
22 speculation. The Department didn't set those, but you can  
23 answer if you know.

24 THE WITNESS: I'm not aware of any.

25 BY MR. VELLIS:

1 A I'm not aware.

2 Q Okay. Who would be aware?

3 MS. NICHOLS: I'll object that calls for  
4 speculation.

5 THE WITNESS: I don't know.

6 BY MR. VELLIS:

7 Q Okay. So as you sit here today speaking on  
8 behalf of the Department of Taxation, do you have any  
9 understanding about any testimony that was given as to why  
10 they were implementing this system as opposed to using the  
11 old system of distribution?

12 MS. NICHOLS: Objection. Calls for speculation.  
13 That's also a matter of public record.

14 BY MR. VELLIS:

15 Q You can answer the question.

16 A I have no knowledge.

17 Q So when you do your allocations on a yearly  
18 basis to the counties and to the local governments, cities  
19 and towns, you simply administer the law the way it's  
20 written by the formulas that you're given?

21 A I'm not sure what you mean by the formulas that  
22 I'm given, but I administer it according to statute.

23 Q Okay. And as to what the intent and purpose of  
24 the law is, that's something you don't have any knowledge  
25 of as to what it is it's trying to accomplish with the way

1 it's distributed?

2 MS. NICHOLS: Objection. Assumes facts, calls  
3 for speculation and argumentative. You can answer, if you  
4 know, or you can even ask her to repeat the question.

5 THE WITNESS: I don't know.

6 BY MR. VELLIS:

7 Q Okay. Well, you don't know whether or not there  
8 was some reason about why those state legislators decided  
9 to consolidate these six taxes and administer them the way  
10 they do under the C-Tax, do you?

11 MS. NICHOLS: Objection. Asked and answered.

12 THE WITNESS: I don't know.

13 BY MR. VELLIS:

14 Q You don't know why that's done?

15 A No.

16 Q And so when you were administering this C-Tax,  
17 if there was a specific reason about what they were trying  
18 to accomplish with the C-Tax, that's of no import to you  
19 whatsoever?

20 A It's irrelevant.

21 Q Okay. You just do what the statute says?

22 A Yes.

23 MR. VELLIS: Okay. We'll take a break.

24 (Recess taken.)

25 BY MR. VELLIS:

1 state legislature?

2 A Certainly the executive director, Christopher  
3 Neilsen.

4 Q Okay. So Topic No. 1, if we were talking  
5 about -- and if you have that in front of you, you can  
6 look at it. It's the local government tax distribution  
7 account, or C-Tax system, and the collection and  
8 distribution of taxes created pursuant to and defined by  
9 NRS 360.660. And I know you have a qualm with that  
10 number, but let's accept that it's the C-Tax.

11 When you're administering that, you do it based  
12 on what the statute tells you to do.

13 A Yes.

14 Q You're not making any kind of value judgments  
15 about whether what's going on is correct in your mind or  
16 wrong or somebody's getting too much money or somebody's  
17 not getting enough money or anything of that nature?

18 A No.

19 Q That's for somebody else to do?

20 A Yes.

21 Q Okay. So the Department of Taxation just simply  
22 is administering this and that's it?

23 A Yes.

24 Q Okay. Does the Department of Taxation provide  
25 any type of advice of any sort to the recipients regarding

1 the numbers they're getting or how they're getting the  
2 numbers or the changes in the numbers that they're getting  
3 on a yearly basis?

4 A Any of that sort of communication is handled  
5 through Terry Rubald's group.

6 Q Okay. So if I want to talk to somebody about  
7 interaction with the local counties or the counties or  
8 something like that about the C-Tax, Terry is the person  
9 to talk to?

10 A Yes.

11 Q Okay. And I'm going to get an objection, but  
12 I'll ask you a really broad question because I'm hoping we  
13 can short-circuit some of this.

14 Is it fair to say that the job that you do is  
15 simply the technical aspects of taking what the statute  
16 tells you to do, compiling the numbers and making sure the  
17 numbers are disbursed per whatever formulas are out there  
18 for the C-Tax?

19 A Yes.

20 Q Okay. And absent that, any kind of interaction  
21 with the state legislature or looking at the purposes  
22 behind what the C-Tax is supposed to do or anything that,  
23 questions like that, I would have to ask somebody else at  
24 the Department of Taxation?

25 A I provide information, statistical information

1 excess is probably what could be considered an adjustment  
2 to the C-Tax. I don't know if it is or not.

3 What I want is someone who has a baseline and  
4 says I want to have an adjustment to that baseline. How  
5 many types of those requests are you aware of as the  
6 person most knowledgeable for the Department of Taxation?

7 A Off the top of my head, three.

8 Q Okay. And why do you say off the top of your  
9 head?

10 A Because there may have been requests for  
11 adjustment by local governments that never made it to my  
12 -- that never got on my radar.

13 Q Okay. And would they be on somebody else's  
14 radar at the Department of Taxation?

15 A No. I'm thinking it would be between the local  
16 government and their lobbyist --

17 Q Okay.

18 A -- or their elected officials.

19 Q Okay. Let's just talk about the ones that the  
20 Department of Taxation -- since that's who you're here  
21 testifying for -- knows about. What are the requests for  
22 adjustments, the three that you had off the top of your  
23 head?

24 A City of Henderson.

25 Q Okay. And when was that approximately?



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

CITY OF FERNLEY, NEVADA, a  
Nevada municipal corporation,

Appellant,

vs.

THE STATE OF NEVADA ex rel.  
DEPARTMENT OF TAXATION;  
THE HONORABLE DAN  
SCHWARTZ, in his official capacity  
as TREASURER OF THE STATE OF  
NEVADA; and THE LEGISLATURE  
OF THE STATE OF NEVADA,

Respondents.

Supreme Court No.: 66851

District Court Case No.: 12 OC 00168 1B

**JOINT APPENDIX**

**VOLUME 14 PART 2**

Filed By:

Joshua J. Hicks, Esq.  
Nevada Bar No. 6678  
BROWNSTEIN HYATT  
FARBER SCHRECK, LLP  
50 West Liberty Street, Suite 1030  
Reno, Nevada 89501  
Telephone: (775) 622-9450  
Email: [jhicks@bhfs.com](mailto:jhicks@bhfs.com)

*Attorneys for Appellant City of Fernley,  
Nevada*

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

Volume Number	Document	Filed By	Date	Bates Stamp Number
1	Affidavit of Service Taxation	City of Fernley	07/02/12	17
1	Affidavit of Service Treasurer	City of Fernley	06/20/12	13-16
23	Amended Memorandum of Costs and Disbursements	State of Nevada/Dept Taxation	10/09/15	4058-4177
7	Answer	State of Nevada/Dept Tax/ Treasurer	02/01/13	1384-1389
7	Answer to Plaintiff's Complaint	Nevada Legislature	01/29/13	1378-1383
23	Case Appeal Statement	City of Fernley	11/07/14	4208-4212
1	Complaint	City of Fernley	06/06/12	1-12
21	Defendant Nevada Legislature's Reply in Support of its Motion for Summary Judgment	Nevada Legislature	07/25/14	3747-3768
21	Defendant's Opposition to Motion to Retax Costs and Reply to Opposition to Motion for Costs	State of Nevada/Dept Taxation	10/03/14	3863-3928
22	Defendant's Opposition to Motion to Retax Costs and Reply to Opposition to Motion for Costs (Cont.)	State of Nevada/Dept Taxation	10/03/14	3929-3947
1	Exhibits to Joinder in Motion to Dismiss	Nevada Legislature	08/16/12	104-220
2	Exhibits to Joinder in Motion to Dismiss (Cont.)	Nevada Legislature	08/16/12	221-332
1	Joinder in Motion to Dismiss	Nevada Legislature	08/16/12	62-103
7	Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	Nevada Legislature	05/06/14	1421-1423
21	Memorandum of Costs and Disbursements	State of Nevada/Dept Taxation	09/19/14	3788-3793
21	Motion for Costs	State of Nevada/Dept Taxation	09/19/14	3776-3788
12	Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order	City of Fernley	06/18/14	2005-2045
7	Motion for Summary Judgment	City of Fernley	06/13/14	1458-1512
8	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1513-1732
9	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1733-1916
10	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1917-1948
11	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1949-2004
1	Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	08/03/12	41-58
1	Motion to Intervene	Nevada Legislature	08/03/12	18-40
21	Motion to Retax Costs and Opposition to Motion for Costs	City of Fernley	09/24/14	3794-3845
7	Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	05/05/14	1414-1420
7	Nevada Department of Taxation and Nevada Treasurer's Reply to Response to Renewal of Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	05/23/14	1433-1437
12	Nevada Department of Taxation's Opposition to Plaintiff's Motion for Summary Judgment	State of Nevada/Dept Taxation	07/11/14	2053-2224
13	Nevada Department of Taxation's Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	State of Nevada/Dept Taxation	07/11/14	2225-2353

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

<b>Volume Number</b>	<b>Document</b>	<b>Filed By</b>	<b>Date</b>	<b>Bates Stamp Number</b>
23	Notice of Appeal	City of Fernley	11/07/14	4205-4207
22	Notice of Entry of Order	Nevada Legislature	10/08/14	4001-4057
23	Notice of Entry of Order	State of Nevada/Dept	10/17/14	4195-4204
7	Notice of Entry of Order Denying City of Fernley's Motion for Reconsideration of Order Dated November 13, 2012	State of Nevada/Dept Tax/ Treasurer	12/19/12	1364-1370
7	Notice of Entry of Order Granting A Continuance to Complete Discovery	City of Fernley	10/19/12	1344-1350
3	Notice of Entry of Order Granting Nevada Legislature's Motion to Intervene	Nevada Legislature	09/04/12	651-657
7	Notice of Entry of Order on Defendant's Motion for Extensions of Time to File Answer	State of Nevada/Dept Tax/ Treasurer	11/15/12	1354-1360
1	Notice of Non-Opposition to Legislature's Motion to Intervene	State of Nevada/Dept Tax/ Treasurer	08/06/12	59-61
2	Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP 56(F)	City of Fernley	08/20/12	331-441
3	Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP 56(F) (Cont.)	City of Fernley	08/20/12	442-625
2	Opposition to Motion to Nevada Legislature's Motion to Intervene	City of Fernley	08/20/12	324-330
13	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	City of Fernley	07/11/14	2354-2445
14	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2446-2665
15	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2666-2819
16	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2820-2851
17	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2852-2899
4	Opposition to Nevada Legislature's Joinder in Motion to Dismiss	City of Fernley	09/28/12	662-881
5	Opposition to Nevada Legislature's Joinder in Motion to Dismiss (Cont.)	City of Fernley	09/28/12	882-1101
6	Opposition to Nevada Legislature's Joinder in Motion to Dismiss (Cont.)	City of Fernley	09/28/12	1102-1316
17	Opposition to Nevada Legislature's Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	City of Fernley	07/11/14	2900-2941
20	Opposition to Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order	Nevada Legislature	07/11/14	3586-3582

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

Volume Number	Document	Filed By	Date	Bates Stamp Number
12	Opposition to Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order and Countermotion for Order Dismissing Nevada Department of Taxation	State of Nevada/Dept Tax/ Treasurer	07/11/14	2049-2052
17	Opposition to Plaintiff's Motion for Summary Judgment	Nevada Legislature	07/11/14	2942-3071
18	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3072-3292
19	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3292-3512
20	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3515-3567
7	Order (Converting Motion to Dismiss to Motion for Summary Judgment, Setting Briefing Schedule and Dismissing Treasurer)	First Judicial District Court	06/06/14	1451-1457
22	Order and Judgment	First Judicial District Court	10/06/14	3948-4000
7	Order Denying City of Fernley's Motion for Reconsideration of Order Dated November 13, 2012	First Judicial District Court	12/17/12	1361-1363
7	Order Granting A Continuance to Complete Discovery	First Judicial District Court	10/15/12	1341-1343
7	Order Granting in Part and Denying in Part Petition for Writ of Mandamus	Nevada Supreme Court	01/25/13	1373-1377
23	Order Granting Nevada Department of Taxation's Motion for Costs	First Judicial District Court	10/15/14	4190-4194
3	Order Granting Nevada Legislature's Motion to Intervene	First Judicial District Court	08/30/12	648-650
7	Order on Defendant's Motion for Extensions of Time to File Answer	First Judicial District Court	11/13/12	1351-1353
7	Order Pursuant to Writ of Mandamus	First Judicial District Court	02/22/13	1390-1392
21	Order Vacating Trial	First Judicial District Court	09/03/14	3773-3775
23	Plaintiff's Motion to Strike, or Alternatively, Motion to Retax Costs	City of Fernley	10/14/14	4178-4189
21	Plaintiff's Objections to Nevada Legislature's Proposed Order and Request to Submit Proposed Order and Judgment	City of Fernley	10/02/14	3846-3862
7	Pretrial Order	First Judicial District Court	10/10/13	1393-1399
7	Reply Concerning Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	Nevada Legislature	05/27/14	1438-1450
7	Reply in Support of Joinder in Motion to Dismiss	Nevada Legislature	10/08/12	1317-1340
3	Reply in Support of Motion to Intervene	Nevada Legislature	08/24/12	626-635
21	Reply in Support of Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order as to Defendant Nevada Legislature	City of Fernley	07/25/14	3709-3746

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

<b>Volume Number</b>	<b>Document</b>	<b>Filed By</b>	<b>Date</b>	<b>Bates Stamp Number</b>
20	Reply in Support of Plaintiff's Motion for Summary Judgment Against Defendants Nevada Department of Taxation and Nevada Treasurer	City of Fernley	07/25/14	3674-3708
20	Reply in Support of Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order as to Defendant's Nevada Department of Taxation and Nevada Treasurer; Plaintiff's Opposition to Countermotion for Order Dismissing Nevada Department of Taxation	City of Fernley	07/25/14	3641-3673
20	Reply in Support of Plaintiff's Motion for Summary Judgment Against Defendant Nevada Legislature	City of Fernley	07/25/14	3606-3640
21	Reply to Opposition to Countermotion for Order Dismissing Nevada Department of Taxation	State of Nevada/Dept Taxation	08/01/14	3769-3772
3	Reply to Opposition to Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	08/27/12	636-647
20	Reply to Plaintiff's Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	State of Nevada/Dept Taxation	07/25/14	3583-3605
7	Response to Nevada Department of Taxation	City of Fernley	05/16/14	1424-1432
7	Second Stipulation and Order Regarding Change of Briefing Schedule	Parties/First Judicial District Court	03/17/14	1406-1409
7	Stipulation and Order for an Extension of Time to File Responses to Discovery Requests; Extend Certain Discovery Deadlines and Extend Time to File Dispositive Motions	Parties/First Judicial District Court	04/11/14	1410-1413
7	Stipulation and Order Regarding Change of Briefing Schedule and Plaintiff's Response to Defendant's Motion to Strike Plaintiff's Jury Demand	Parties/First Judicial District Court	02/19/14	1403-1405
12	Stipulation and Order Regarding Change of Briefing Schedule and Setting Hearing for Oral Argument	Parties/First Judicial District Court	06/25/14	2046-2048
7	Stipulation and Order Regarding Defendant's Motion to Strike Plaintiff's Jury Demand	Parties/First Judicial District Court	10/23/13	1400-1402
3	Stipulation and Order Regarding Joinder to Motion to Dismiss	Parties/First Judicial District Court	09/18/12	658-661
23	Transcript of Hearing	Court Reporter	01/07/15	4213-4267
7	Writ of Mandamus	Nevada Supreme Court	01/25/13	1371-1372

1 Q And what do you do within the local  
2 government finance section of the Department of Taxation?

3 A I'm a budget analyst.

4 Q And what does a budget analyst do?

5 A It'd be easier to explain what the section  
6 does. We have oversight over 260 local governments  
7 throughout the state -- schools, cities, hospitals,  
8 libraries, counties. We have administrative oversight  
9 over those entities' activities and I'm responsible for  
10 the activities of all the entities in five of the state's  
11 17 counties.

12 Q And which ones are those?

13 A Currently, that's Clark, Elko, Humboldt, Nye,  
14 and White Pine.

15 Q And you said you have administrative  
16 oversight over the activities of those --

17 A Correct.

18 Q And the local governments are all the  
19 entities within those counties?

20 A Correct.

21 Q And have you always had the same counties or  
22 different counties?

23 A No.

24 Q Actually, that was a bad question. Have you  
25 always had the same counties you just listed for me?

1 told me about?

2 A Other than a part-time job I had, which was  
3 brief.

4 Q What was the part-time job?

5 A Working at Hickory Farms. But it was only  
6 weekends, since the State does not allow me to work that  
7 kind of thing during regular business hours.

8 Q And that's here in Nevada?

9 A It was in Carson City.

10 Q What did you do for them?

11 A I just sold retail.

12 (Exhibit 1 marked.)

13 BY MR. VELLIS:

14 Q Mr. Ambrose, I'm going to have you look at  
15 what's been marked as Exhibit 1 to your deposition. It's  
16 an attachment that was part of the notice of deposition  
17 for the person or persons most knowledgeable from the  
18 Department of Taxation. Have you ever seen this document  
19 before?

20 A Yes. I brought my copy with me.

21 Q Where did you get it from?

22 A It was attached to my notice of deposition.

23 Q You seem to have some areas highlighted.

24 Which ones do you have highlighted?

25 A Questions 11, 12, and 14.

1 Q And are those the ones that you are the  
2 person most knowledgeable and will speak on behalf of the  
3 Department of Taxation?

4 A I believe so.

5 Q No. 11 is any and all cooperative agreements  
6 between the C-Tax recipients since the enactment of said  
7 C-Tax. Let me ask you first: What is your involvement  
8 with the C-Tax, as part of the Department of Taxation?

9 A My principal involvement is, each year, in  
10 the process of developing our projections of revenue for  
11 upcoming fiscal years, we look at those numbers -- myself  
12 and my fellow analysts, we each look at the components of  
13 C-Tax and we make a good faith estimate as to what those  
14 revenues are gonna be in the upcoming year, and if you're  
15 aware of the components of C-Tax, we look at each of  
16 those individually.

17 Q And what are you doing that for? What's the  
18 purpose of that?

19 A Well, we want to make as accurate a  
20 projection as possible.

21 Q You make a projection of the revenues so that  
22 you'll know what the recipients are going to receive?

23 A Well, it's projected what they will receive,  
24 yes, because the local governments use it in the  
25 preparation of their budgets.



1 A Correct.

2 Q Have you had any contact with Fernley  
3 regarding the C-Tax at any time after 1996?

4 A No, not that I recall.

5 Q Now, you've had some dealing with the Fernley  
6 Incorporation Committee at some point in time.

7 A Yes.

8 Q Was it your understanding that the Fernley  
9 Incorporation Committee was made up of government  
10 officials?

11 A I don't believe it was, not the initial one.

12 Q And the one that you dealt with, how long was  
13 that period of time that you dealt with them?

14 A It would've been from when I started in local  
15 government finance in October of '95 through, I believe,  
16 June or July of 1996.

17 Q And during that entire time, was the  
18 incorporation committee for Fernley that you dealt with  
19 made up of government officials or private citizens?

20 A Private citizens, I believe.

21 Q What's your understanding of what a  
22 cooperative agreement is?

23 A It's an agreement between two or more  
24 entities relative to providing a service.

25 Q Under the C-Tax.

1 A It could be for something other than C-Tax.

2 Q In relation to C-Tax, since that's the  
3 category that you are the person most knowledgeable  
4 about, what's your understanding of cooperative  
5 agreements between C-Tax recipients?

6 A As far as any that exist?

7 Q Yeah.

8 A To my knowledge, there are only two.

9 Q And there's only been two since 1997 till the  
10 present?

11 A As far as I know.

12 Q What are those two?

13 A The first -- and I can't remember the exact  
14 date it started -- is between White Pine County, the City  
15 of Ely, and the White Pine County Hospital District.  
16 There are only three other entities in White Pine County  
17 that receives C-Tax, which are the three small towns --  
18 Long, McGill, and Ruth, and they're administered by the  
19 county. So the basic agreement is between those three  
20 entities I've already listed. They formed an agreement  
21 where they would go outside of the regular C-Tax  
22 distribution formula and they developed their own, the  
23 essence of which was that Ely would get a higher  
24 percentage of C-Tax than what the formula provided and  
25 each of the other two entities gave up some of their

1 percentage. That agreement is subject to renewal every  
2 two years, and the current agreement expires June 30th of  
3 2014.

4 Q And what was it that Ely was doing in order  
5 to get more of the C-Tax than it had previously been  
6 assigned?

7 A They ceased levying property tax.

8 Q And why was that beneficial to White Pine  
9 County? Do you know?

10 MS. NICHOLS: Objection. Assumes facts.

11 BY MR. VELLIS:

12 Q That's true, maybe it's not beneficial. But  
13 I assume it was beneficial, since White Pine County is  
14 giving up money to Ely. Correct?

15 A But they were also able to levy a higher  
16 property tax.

17 Q So the purpose of it was to allow -- or the  
18 benefit to White Pine County was, by giving more money to  
19 Ely, they were able to make that up by levying a higher  
20 property tax in the county.

21 A Which could provide services for the entire  
22 county.

23 Q And when did that cooperative agreement take  
24 place, if you know?

25 A I believe it was first --

1 Q Approximately.

2 A I believe it would've been created in 1999.  
3 It would've had an effective date of July 1st of 2000,  
4 because now it's on that two-year cycle.

5 Q So that cooperative agreement, based on your  
6 review of it, provided a benefit to both parties. Ely  
7 got more money in C-Tax, which allowed them to spend that  
8 money in the City of Ely, and White Pine County got more  
9 property tax, so that they could issue more property tax  
10 in the county and use that money for the county.

11 A Essentially, because the county has the  
12 higher assessed value in which to apply that tax rate to.

13 Q Well, I'm just trying to establish, both  
14 sides got something in that deal.

15 A Correct.

16 Q Now, what's the other one you know about?

17 A The other one I'm aware of is, subsequent to  
18 the 2011 session of the Legislature, I believe there was  
19 an adjustment made in the C-Tax distribution of Clark  
20 County between the county and the five incorporated  
21 cities.

22 Q And what was that?

23 A They adjusted some part of the formula, and I  
24 honestly can't remember whether it was the tier-one  
25 calculation or the tier-two calculation, but, in essence,

1 it affected the C-Tax income for the cities and the  
2 county. It did not affect any other entity in the county  
3 that receive C-Tax.

4 Q What were the five cities? Do you know?

5 A City of Las Vegas, Boulder City, Henderson,  
6 Mesquite, North Las Vegas.

7 Q And did these cities then end up getting more  
8 money in C-Tax or less money in C-Tax? Or how did it  
9 work?

10 A I believe there was an adjustment to Mesquite  
11 out of one of the distributions, where they received less  
12 than what they had previously received, but I believe the  
13 other cities got more.

14 Q And do you know what the basis for doing that  
15 adjustment was?

16 A There was an error in what I believe is  
17 called the 1-Plus calculation.

18 Q And what was the error?

19 A I'm not sure about that.

20 Q So based on that error in the 1-Plus  
21 calculation, Mesquite was getting more money than it  
22 should've been getting?

23 A Under the formula.

24 Q And so this cooperative agreement was to  
25 rectify that.

1           A       Yeah. And I believe it was for only two  
2 years, because the 2013 session delved into that and made  
3 some other adjustments.

4           Q       Is the cooperative agreement still in effect  
5 between these five cities and the county?

6           A       I don't believe it is.

7           Q       So it only lasted for a couple years?

8           A       Just for the biennium.

9           Q       And then the Legislature fixed it, or did  
10 something to it.

11          A       That would be a more accurate term, that they  
12 did something.

13          Q       Other than those two cooperative agreements,  
14 do you know of any other cooperative agreements that have  
15 existed between any local government entities since the  
16 enactment of the C-Tax?

17          A       No.

18          Q       Do you know of any other attempts to get  
19 cooperative agreements that failed?

20          A       Not that I recall.

21          Q       Is it your understanding that when the C-Tax  
22 was enacted, these local government entities got a base  
23 amount that they were to receive going forward?

24          A       Yes.

25          Q       And then there were some additions from

1 A The money that was not spent?

2 Q Yeah.

3 A It might appear as an increase in some other  
4 function or -- or they might've reduced their overall  
5 expenditures because of the impact to the economy.

6 Q Have you had counties where they've had  
7 reductions not just in police but in their expenditures  
8 over the last few years?

9 A Yes.

10 Q When you look at that and you're looking at  
11 their budget and they have reduced expenditures, do you  
12 also look to see if their C-Tax is also being reduced, or  
13 does it stay the same?

14 A It could be a reduction or it could be a  
15 reduction in their property tax revenues.

16 Q I'm just talking about the C-Tax. Do you  
17 look to check, or that doesn't really enter into your  
18 thought process?

19 A It could, depending on the amount.

20 Q Do you recall situations where you've had  
21 people decrease services and their C-Tax has basically  
22 stayed the same or gone up?

23 A I don't recall that, no.

24 Q Ms. Rubald was in here earlier and she  
25 indicated to me that the two main areas for local

1 governments to finance their services were property tax  
2 and the C-Tax.

3 A Correct.

4 Q So in that regard, C-Tax is pretty important  
5 to local governments.

6 A Yes.

7 Q And the amount of C-Tax you get is going to  
8 assist you in financing the services to your population.

9 A Correct.

10 Q And when you have these conversations -- or  
11 maybe you don't have them, but if you have conversations  
12 with local government entities, do they ever discuss with  
13 you other services they want to provide but they're  
14 unable to provide, because they don't have the money to  
15 do so?

16 A I don't recall that, no.

17 Q You don't oversee Fernley anymore. Correct?

18 A That's correct.

19 Q Do you know, off the top of your head, what  
20 Fernley's property tax rate is?

21 A Not off the top of my head, no.

22 Q Is there a limit on the property tax that can  
23 be charged?

24 A Yes, there is.

25 Q What is it?



# EXHIBIT 12

# EXHIBIT 12

# *Consolidated Tax Distribution*

Or, "Can anyone explain the CTX?"

Prepared by the Nevada Department of Taxation 1/21/2011

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
CoF JA 1 2513

Committee: Assembly Taxation  
Exhibit: C ; P 1 of 17 ; Date: 2/22/11  
Submitted by: Marian Henderson

## **Introduction to the Consolidated Tax Distribution (CTX)**

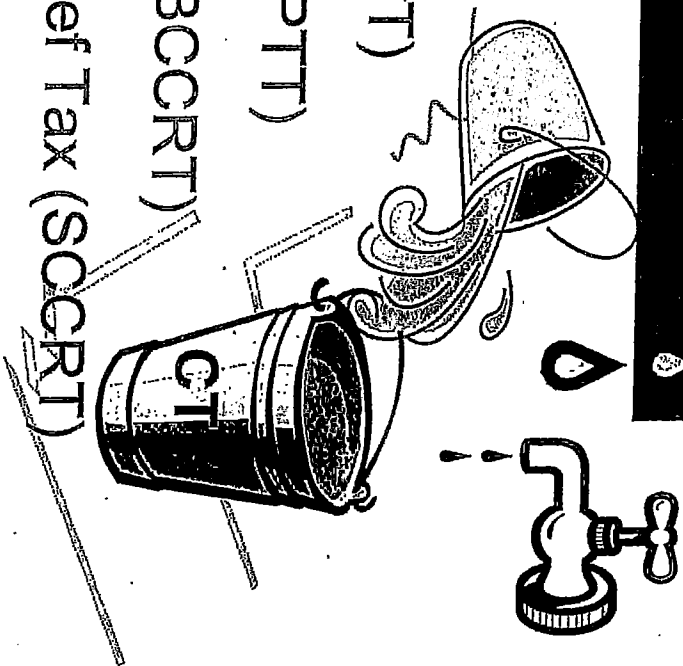
- CTX was implemented in 1997 as a way to combine the distribution of six different tax types into one monthly distribution.
- Each tax type may have various distribution formulas which are applied.
- Additional details may be found in the Nevada Revised Statutes, or by contacting the Department of Taxation.

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
CoF JA 2 2514

# The Components of CTX

- 1) Cigarette Tax
- 2) Liquor Tax
- 3) Government Services Tax (GST)
- 4) Real Property Transfer Tax (RPTT)
- 5) Basic City County Relief Tax (BCCRT)
- 6) Supplemental City County Relief Tax (SCCRT)

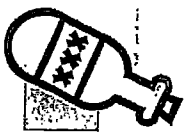


CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
CoF JA 3 2515

# The CTX components explained

- **Cigarette Tax** -- 5 mills (1/2 cent) per cigarette/10 cents per pack of 20. The total amount of tax collected statewide is distributed amongst the counties on the basis of their population. NRS 370.260
- **Liquor Tax** -- 50 cents per gallon of liquor containing over 22% alcohol. The total amount of tax collected statewide is distributed amongst the counties on the basis of their population. NRS 369.173

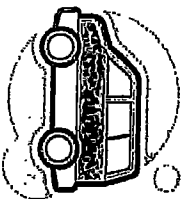


CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
CoF JA 4 2516

# The CTX components explained

- **Government Services Tax (GST)** – formerly called Motor Vehicle Privilege Tax (MVPT) is collected by the Department of Motor Vehicles. It is based on the value of a motor vehicle at the time of registration. The GST is distributed back to the county of origin. NRS 482.180 and 482.181



- **Real Property Transfer Tax (RPTT)** – 55 cents per \$500 of value on real property transfers within each county. The RPTT is distributed back to the county of origin. NRS 375

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
Cof JA 5 2517

## The CTX components explained

- **Basic City County Relief Tax (BCCRT)** -  $\frac{1}{2}\%$  of the 6.85% statewide sales/use tax rate. The BCCRT is distributed to the county where the company is located. For out-of-state companies, the BCCRT is distributed amongst all counties on the basis of population. NRS 377.055
- **Supplemental City-County Relief Tax (SCCRT)** -- 1.75% of the 6.85% statewide sales/use tax rate. SCCRT is distributed back to the counties based on a statutory distribution formula. NRS 377.057

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
Col JA 6 2518

# The CTX components explained

CITY OF FERNLEY  
v. STATE OF NEVADA

CoF Case No. 66851  
JA 7 2519

- **Supplemental City-County Relief Tax (SCCRT)**  
continued –

- Nine of Nevada's counties ("Guaranteed Counties") receive a guaranteed monthly allocation of SCCRT regardless of their SCCRT receipts per NRS 377.057
- The remaining counties' ("Point of Origin Counties") SCCRT distribution is in proportion to the amount of their in-state collections to the state as a whole after the Guaranteed Counties have first received their allocation



# Sample Calculation for SCCRT

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
JA 8 2520

- 1) The Guaranteed counties' distribution is subtracted from the total in-state collections. (\$49,259,677.14 - \$3,035,034.16 = \$46,224,642.98)
- 2) The percentage of each Point of Origin county's in-state collections to the whole of the remaining in-state collections is determined. (Clark is \$36,690,800.22 ÷ \$47,349,827.60 = 77.4888%)
- 3) The above percentage is applied to the total amount remaining after the Guaranteed counties' distribution. (Clark is 77.4888% X \$50,165,027.06 = \$38,872,26.274)

## FY 10-11 CONSOLIDATED TAX DISTRIBUTION CALCULATION OF TAX TO COUNTIES

COUNTY	SCCRT IN-STATE COLLECTIONS	GUARANTEED COUNTIES	COLLECTIONS	% OF TOTAL	DISTRIBUTION	SCCRT CO ALLOCATION
CARSON CITY	943,842.47		943,842.47	1.9933%	999,958.93	999,958.93
CHURCHILL	279,467.63		279,467.63	0.5902%	296,083.47	296,083.47
CLARK	36,690,800.22		36,690,800.22	77.4888%	38,872,263.74	38,872,263.74
DOUGLAS	672,079.74	1,158,779.79				1,158,779.79
ELKO	1,471,591.14		1,471,591.14	3.1079%	1,559,085.07	1,559,085.07
ESMERALDA	15,695.32	80,858.35				80,858.35
EUREKA	345,454.85		345,454.85	0.7296%	365,993.98	365,993.98
HUMBOLDT	732,106.66		732,106.66	1.5462%	775,634.30	775,634.30
LANDER	260,879.23	202,595.46				202,595.46
LINCOLN	37,652.70	97,674.90				97,674.90
LYON	352,415.79	861,255.23				861,255.23
MINERAL	45,102.43	129,566.69				129,566.69
NYE	530,694.20		530,694.20	1.1208%	562,246.80	562,246.80
PERSHING	49,773.63	153,564.91				153,564.91
STOREY	74,447.66	127,729.68				127,729.68
WASHOE	6,355,870.43		6,355,870.43	13.4232%	6,733,760.76	6,733,760.76
WHITE PINE	401,811.04	223,009.15				223,009.15
<b>TOTAL</b>	<b>49,259,677.14</b>	<b>3,035,034.16</b>	<b>47,349,827.60</b>	<b>100.0000%</b>	<b>50,165,027.06</b>	<b>53,200,061.23</b>

TOTAL SCCRT IN-STATE COLLECTIONS  
TOTAL SCCRT OUT-OF-STATE RECEIPTS  
OTHER ADDITIONS  
LESS SCCRT GENERAL FUND COMMISSION  
SCCRT AVAILABLE FOR DISTRIBUTION

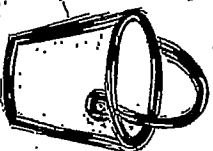
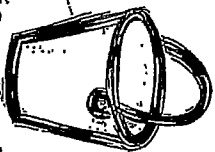
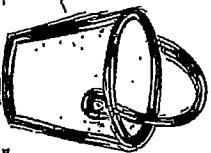
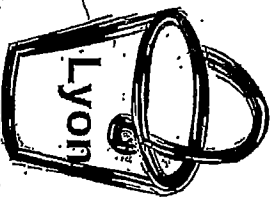
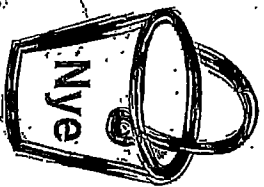
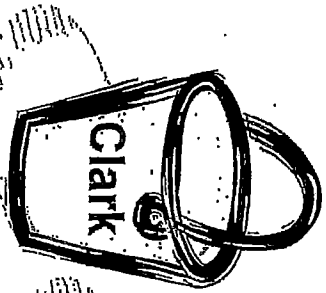
49,259,677.14  
4,891,239.56  
950,855.47  
53,200,061.23

## First Tier vs. Second Tier distribution

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
JA 9 2521

- **First Tier** – Total amount of CTX available for distribution from all of the components is allocated among the 17 counties. (Think of 17 buckets, each containing one county's total distribution.)



... You get the idea

# First Tier Distribution amounts

This spreadsheet is a sample of one month's distribution. The CTX Components are highlighted in green. The "Total" amount for Churchill (highlighted in orange) is the first tier distribution to that county.

COUNTY	BCCRT	SCCRT	CIGARETTE	LIQUOR	RPTT	GST	TOTAL
GARSON CITY	378,617.62	1,281,040.97	25,037.52	7,850.08	-	218,951.24	1,911,497.43
CHURCHILL	126,002.13	401,669.77	11,656.32	3,654.64	-	100,327.04	643,309.90
CLARK	14,352,887.88	49,775,656.81	787,631.47	246,948.18	-	8,766,218.67	73,929,343.01
DOUGLAS	293,459.99	1,297,776.06	21,970.09	6,888.34	-	230,668.53	1,850,763.01
ELKO	457,749.07	1,619,127.58	20,864.31	6,541.64	20,209.20	255,263.10	2,379,754.90
ESMERALDA	32,942.09	94,476.78	559.47	175.41	-	8,400.69	136,554.44
EUREKA	116,962.58	448,518.63	651.11	204.14	854.15	12,157.86	579,348.47
HUMBOLDT	186,310.44	666,744.07	7,582.20	2,377.27	-	105,983.71	967,997.69
LANDER	120,818.01	228,320.93	2,415.45	757.32	2,595.45	36,474.91	391,382.07
LINCOLN	12,385.40	110,150.94	1,703.84	534.21	-	30,196.07	154,970.46
LYON	163,365.53	931,466.37	21,422.90	6,716.78	39,896.45	239,807.78	1,402,675.81
MINERAL	17,628.11	153,553.59	2,029.61	636.35	-	23,624.31	197,471.97
NYE	255,279.01	854,688.94	18,109.06	5,677.78	-	243,619.07	1,377,373.86
PERSHING	30,631.70	172,098.95	2,953.43	926.00	-	26,943.21	233,553.29
STOREY	24,402.11	144,250.52	1,759.08	551.53	-	24,659.54	195,622.78
WASHOE	2,801,183.43	9,563,000.38	173,998.16	54,554.10	457,631.35	2,023,238.32	15,073,606.74
WHITE PINE	60,383.38	250,802.06	4,066.67	1,275.03	-	51,731.75	368,258.89
TOTAL	19,431,008.48	67,992,343.34	1,104,410.69	346,268.80	521,186.60	12,398,265.80	101,793,483.71

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
JA 10 2522

## First Tier vs. Second Tier distribution

- **Second Tier** – Each county's Second Tier distribution is a further breakdown of the First Tier distribution. The revenue is now allocated among the Local Governments and Special Districts in each county according to *Base and Excess Distribution formulas.*

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
CoF JA 11 2523

## The Second Tier distribution

### The Base Distribution

- Each entity (local government) has a base allocation that was determined when CTX was established in 1997.
- Base allocations are recalculated annually. The lesser of the prior year's base or actual allocation multiplied by the Consumer Price Index determines the next year's base allocation. NRS 360.680

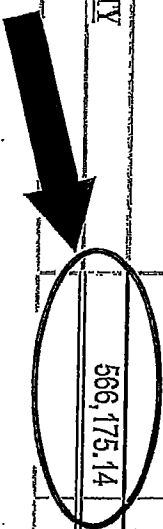
CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
CoF JA 12 2524

# Sample Base Distribution

Note that the "Revenue Available to Distribute" is the same as the First Tier distribution amount. If the amount allocated among the local governments according to the Base Distribution percentage. In the case where revenue is less than the base distribution amount, a modified distribution is made prorating the amount of revenue available among the local governments in the same proportion as the base distribution.

	BASE MONTHLY ALLOCATION	% OF BASE	MODIFIED DISTRIBUTION	EXCESS DISTRIBUTION OR SHORTFALL	BASE DISTRIBUTION
FY 06-07 THE COUNTY OF CHURCHILL					
REVENUE AVAILABLE TO DISTRIBUTE	643,309.90				
LOCAL GOVERNMENTS					
CHURCHILL COUNTY	423,136.25	0.7474	-	-	423,136.25
FALLON	121,237.70	0.2141	-	-	121,237.70
SPECIAL DISTRICTS					
CARSON-TRUCKEE WATER CONSERVANCY	636.39	0.0011	-	-	636.39
CHURCHILL MOSQUITO ABATEMENT GID	21,164.79	0.0374	-	-	21,164.79
TOTAL CHURCHILL COUNTY	566,175.14	1.0000	-	77,134.76	566,175.14



# The Second Tier distribution

## Excess Distribution

- The Excess Distribution is the amount of revenue available to distribute after the Base Distribution has been made.
- Excess is distributed based on a formula combining the 5 year moving average of the changes in population and assessed valuation for each local government. Special Districts have no associated population, so only the change in assessed valuation is used in calculating their excess distribution. NRS 360.690

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
CoF JA 14 2526

#



## Using "1 Plus" or "No 1 Plus"

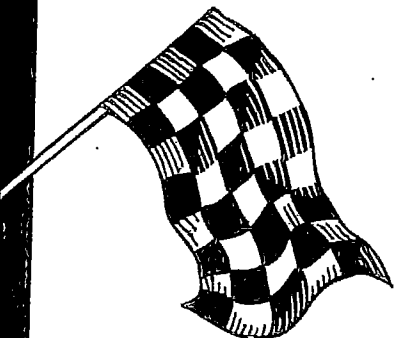
"No 1 plus" is always the default



### • Conditions for using "1 Plus" (NRS 360.690):

- The sum of the population growth factor & assessed value growth factor for each entity in the county is a negative number **AND** the average change of assessed value in each special district is negative; OR
- The sum of the population growth factor & assessed value growth factor for each entity is a negative number **AND** the average change of assessed value in any special district is positive; OR
- The county has a \$50 million or greater 5 year average in Net Proceeds of Minerals (NPM) **OR** the 5 year average of population is negative **OR** \$50 million in NPM and negative population

# Summary



- The CTX distributes six different tax types
- The first tier calculation is the gross revenue allocated to each of the 17 counties
- The second tier calculation allocates the revenue among the entities within a county
- The base distribution is calculated prior to the excess distribution
- The excess distribution may be distributed using the One Plus or No One Plus formula

CITY OF FERNLEY  
v. STATE OF NEVADA

Case No. 66851  
JA 17 2529

# EXHIBIT 13

# EXHIBIT 13

# Total CTX Distributions (Base plus Excess)

\*Base and Excess Distributions  
follow in this Exhibit.

CONSOLIDATED TAX DISTRIBUTION  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 1998-99

COUNTY	BCRT	SCCRT	CIGARETTE	LIQUOR	RPTT	MVPT	TOTAL
CARSON CITY	3,758,219.23	12,764,580.33	466,559.27	63,218.21	220,385.08	1,726,532.78	18,999,494.90
CHURCHILL	1,115,761.03	3,515,883.64	219,941.67	29,814.45	81,704.15	740,719.43	5,703,824.37
CLARK	98,314,630.91	337,603,727.98	11,082,681.83	1,501,000.82	12,410,929.62	50,639,099.80	511,552,070.97
DOUGLAS	2,332,079.70	10,356,528.00	367,585.35	49,790.78	527,846.55	1,568,405.33	15,202,235.71
ELKO	3,261,424.13	10,961,751.90	441,819.55	59,862.46	134,972.20	1,955,803.81	16,815,634.05
ESMERALDA	56,084.09	768,240.00	13,374.14	1,814.17	1,380.63	105,840.84	946,733.86
EUREKA	660,363.85	2,463,489.73	15,249.27	2,067.88	54,328.00	186,995.97	3,382,494.70
HUMBOLDT	1,609,530.00	5,589,851.19	162,061.51	21,960.42	25,622.85	932,521.87	8,341,547.85
LANDER	404,865.32	2,323,968.00	64,739.82	8,776.77	6,994.91	410,967.29	3,220,312.11
LINCOLN	124,743.39	1,030,860.00	37,974.65	5,146.44	9,975.65	265,317.22	1,474,017.35
LYON	1,109,372.07	6,543,132.00	282,699.82	38,282.51	221,401.40	1,158,266.12	9,353,153.93
MINERAL	225,937.71	1,684,176.00	62,752.10	8,513.32	4,864.20	257,418.94	2,243,662.27
NYE	1,412,016.86	5,310,072.00	257,779.59	34,897.00	181,157.46	1,484,900.81	8,680,823.72
PERSHING	278,873.61	1,604,592.00	61,896.51	8,375.39	32,202.87	318,493.33	2,304,433.71
STOREY	223,789.46	1,182,972.00	32,661.03	4,424.37	58,021.23	171,813.89	1,673,681.97
WASHOE	23,605,517.53	80,460,323.61	2,846,579.15	385,857.51	2,795,262.80	13,874,550.56	123,968,091.16
WHITE PINE	527,058.51	2,401,488.00	98,499.88	13,346.28	11,384.78	549,803.20	3,601,580.64
TOTAL	139,020,267.40	486,565,636.38	16,514,855.15	2,237,148.78	16,778,434.38	76,347,451.19	737,463,793.28

**CONSOLIDATED TAX DISTRIBUTION**  
**REVENUE SUMMARY BY COUNTY**  
**FISCAL YEAR 1999-00**

<u>COUNTY</u>	<u>BCCRT</u>	<u>SCCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPIT</u>	<u>MVPT</u>	<u>TOTAL</u>
CARSON CITY	3,804,328.96	12,880,801.81	457,443.89	67,110.90	374,015.50	1,984,226.80	19,567,927.86
CHURCHILL	1,142,094.93	3,627,377.87	213,232.34	31,290.67	69,689.55	981,230.39	6,064,915.75
CLARK	105,977,062.13	364,029,262.43	11,173,067.21	1,639,755.63	12,891,944.11	58,876,076.12	554,587,167.63
DOUGLAS	2,582,265.05	10,801,860.00	366,170.41	53,724.93	580,382.00	1,785,922.32	16,170,324.71
ELKO	3,301,110.41	11,058,531.76	435,213.22	63,854.95	141,211.40	2,062,787.33	17,062,709.07
ESMERALDA	55,222.38	768,240.00	12,640.11	1,855.07	1,465.01	111,617.45	951,040.02
EUREKA	798,719.03	2,966,220.57	14,851.08	2,180.95	2,462.71	181,624.93	3,966,059.27
HUMBOLDT	1,466,301.64	5,018,587.08	158,301.25	23,222.99	51,597.70	959,575.96	7,677,586.62
LANDER	356,571.15	2,364,408.00	61,905.27	9,080.95	9,781.07	407,572.98	3,209,319.42
LINCOLN	138,569.37	1,067,448.00	36,956.88	5,421.88	8,639.40	286,907.99	1,543,943.52
LYON	1,214,695.44	6,824,484.00	286,168.03	41,995.38	220,270.05	1,289,473.61	9,877,086.51
MINERAL	225,609.21	1,684,176.00	58,006.77	8,507.89	6,323.91	290,594.66	2,273,218.44
NYE	1,479,137.29	5,538,408.00	267,140.58	39,219.44	226,421.96	1,524,608.32	9,074,935.59
PERSHING	270,068.42	1,673,592.00	64,247.66	9,426.36	15,412.02	472,099.46	2,504,845.92
STOREY	194,294.46	1,233,840.00	32,395.62	4,752.85	61,466.95	180,070.14	1,706,820.02
WASHOE	24,709,777.26	84,384,663.11	2,757,570.15	404,622.42	3,325,852.15	15,601,890.29	131,184,375.38
WHITE PINE	414,507.47	2,504,748.00	96,717.91	14,189.58	24,803.67	589,186.59	3,644,153.22
<b>TOTAL</b>	<b>148,130,334.60</b>	<b>518,426,648.63</b>	<b>16,492,028.38</b>	<b>2,420,212.84</b>	<b>18,011,739.16</b>	<b>87,585,465.34</b>	<b>791,066,428.95</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2000-01

<u>COUNTY</u>	<u>BCCRI</u>	<u>SCCRI</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTI</u>	<u>MVPT</u>	<u>TOTAL</u>
CARSON CITY	4,191,114.06	14,261,507.02	456,375.15	64,428.53	300,379.75	2,090,682.59	21,364,487.10
CHURCHILL	1,149,676.75	3,625,669.65	219,514.54	30,989.86	68,212.40	945,295.39	6,039,358.59
CLARK	111,600,264.35	383,217,937.99	11,652,570.18	1,645,046.32	15,107,819.50	63,154,077.03	586,377,715.37
DOUGLAS	2,802,592.99	11,398,116.00	369,384.58	52,147.70	679,845.65	1,891,238.33	17,193,325.25
ELKO	3,426,751.16	11,458,171.01	439,029.05	61,979.74	130,040.05	2,160,964.28	17,676,935.29
ESMERALDA	32,392.65	843,072.00	13,183.01	1,861.09	1,052.02	95,076.51	986,637.28
EUREKA	604,085.06	2,222,752.69	16,738.96	2,363.11	7,114.93	162,585.88	3,015,640.63
HUMBOLDT	1,494,287.04	5,096,745.97	156,895.22	22,149.62	43,119.85	868,183.28	7,681,380.98
LANDER	325,021.47	2,418,072.00	60,797.97	8,583.12	9,224.05	392,033.03	3,213,731.64
LINCOLN	123,238.75	1,111,536.00	36,860.41	5,203.75	11,765.80	272,826.79	1,561,431.50
LYON	1,361,723.09	7,422,300.00	296,184.17	41,813.66	216,962.90	1,373,777.04	10,712,760.86
MINERAL	197,707.45	1,686,360.00	55,941.08	7,897.46	3,763.93	249,384.18	2,201,054.10
NYE	1,570,094.48	6,116,616.00	290,980.35	41,079.02	207,420.65	1,688,430.50	9,914,621.00
PERSHING	276,264.13	1,762,464.00	64,700.83	9,134.11	11,817.53	307,421.82	2,431,802.42
STOREY	274,782.69	1,290,720.00	32,437.15	4,579.29	38,332.72	204,556.69	1,845,408.54
WASHOE	25,794,848.99	87,989,208.70	2,807,201.42	396,305.37	3,451,291.80	16,502,441.19	136,941,297.47
WHITE PINE	365,735.26	2,615,712.00	96,704.35	13,652.18	21,198.02	509,961.91	3,622,963.72
<b>TOTAL</b>	<b>155,590,580.37</b>	<b>544,536,961.03</b>	<b>17,065,498.42</b>	<b>2,409,213.93</b>	<b>20,309,361.55</b>	<b>92,868,936.44</b>	<b>832,780,551.74</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2001-02

<u>COUNTY</u>	<u>BCCRT</u>	<u>SCCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTI</u>	<u>MVPT</u>	<u>TOTAL</u>
CARSON CITY	4,508,366.63	15,398,392.69	426,486.05	62,732.08	430,531.60	2,249,662.64	23,076,171.69
CHURCHILL	1,122,700.07	3,516,409.85	195,193.86	28,712.79	74,769.40	1,062,104.63	5,999,890.60
CLARK	112,777,856.58	386,394,103.76	11,271,620.25	1,658,596.17	17,928,093.48	69,365,763.99	599,396,034.23
DOUGLAS	2,784,805.97	11,922,432.00	336,561.71	49,513.42	718,332.30	2,072,296.43	17,883,941.83
ELKO	3,294,314.26	10,927,970.08	368,088.63	54,141.35	129,828.60	2,026,934.73	16,801,277.65
ESMERALDA	32,280.92	867,852.00	7,941.21	1,168.44	3,478.20	130,816.07	1,043,536.84
EUREKA	601,476.17	2,206,248.30	13,159.18	1,933.62	5,165.12	205,378.87	3,033,361.26
HUMBOLDT	1,512,191.49	5,145,919.10	130,324.16	19,164.80	45,535.60	1,034,233.38	7,887,368.53
LANDER	289,534.97	2,435,484.00	46,811.61	6,883.34	7,782.84	455,231.07	3,241,727.83
LINCOLN	125,968.29	1,181,340.00	33,278.76	4,890.63	9,804.30	333,884.63	1,689,166.61
LYON	1,461,463.44	7,888,428.00	282,755.24	41,607.53	309,700.05	1,585,290.82	11,569,245.08
MINERAL	181,968.97	1,696,644.00	40,573.64	5,963.10	8,177.24	292,299.97	2,225,626.92
NYE	1,577,107.07	6,500,736.00	265,220.25	39,019.73	210,966.58	1,851,606.34	10,444,655.97
PERSHING	257,600.60	1,821,852.00	54,364.15	7,996.07	6,493.97	408,707.88	2,557,014.67
STOREY	362,154.07	1,371,780.00	27,904.99	4,106.60	25,313.55	232,265.77	2,023,524.98
WASHOE	26,142,219.62	88,989,499.04	2,763,660.31	406,535.17	3,948,692.95	17,697,714.06	139,948,321.15
WHITE PINE	375,457.97	2,615,712.00	73,717.86	10,836.27	7,970.50	624,334.41	3,708,029.01
<b>TOTAL</b>	<b>157,407,467.09</b>	<b>550,880,802.82</b>	<b>16,337,661.86</b>	<b>2,403,801.11</b>	<b>23,870,636.28</b>	<b>101,628,525.69</b>	<b>852,528,894.85</b>



# **CONSOLIDATED TAX DISTRIBUTION** **REVENUE SUMMARY BY COUNTY** **FISCAL YEAR 2002-03**

<u>COUNTY</u>	<u>BCCRT</u>	<u>SCCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTT</u>	<u>MVPT</u>	<u>TOTAL</u>
CARSON CITY	4,394,993.69	14,894,392.79	436,346.35	63,497.02	411,175.60	2,391,987.40	22,592,392.85
CHURCHILL	1,183,078.31	3,723,804.27	200,594.99	29,194.02	100,901.30	1,163,177.43	6,400,750.32
CLARK	120,720,684.82	413,839,725.50	12,043,143.18	1,751,209.79	22,648,700.34	73,764,004.71	644,767,468.34
DOUGLAS	3,244,436.05	12,523,320.00	350,355.14	50,977.20	812,956.65	2,298,806.92	19,280,851.96
ELKO	3,304,053.86	10,911,735.38	374,805.83	54,561.00	151,796.70	2,301,041.98	17,097,994.75
ESMERALDA	32,629.56	911,592.00	8,482.92	1,232.31	3,058.55	134,507.67	1,091,503.01
EUREKA	640,343.36	2,337,690.82	11,899.21	1,735.61	5,189.96	214,333.26	3,211,192.22
HUMBOLDT	1,488,641.75	5,032,873.55	130,108.00	18,934.92	45,185.25	1,074,637.99	7,790,381.46
LANDER	228,781.45	2,460,576.00	45,934.48	6,692.61	13,038.18	455,543.04	3,210,565.76
LINCOLN	120,115.76	1,181,340.00	31,050.64	4,519.36	8,478.25	353,108.55	1,698,612.56
LYON	1,385,602.35	8,286,000.00	302,303.37	43,962.78	457,313.45	1,801,886.40	12,277,068.35
MINERAL	190,665.21	1,696,644.00	38,029.51	5,537.12	8,750.80	310,493.54	2,250,120.18
NYE	1,635,010.95	6,828,372.00	277,337.36	40,351.50	158,193.06	1,996,499.07	10,935,763.94
PERSHING	248,912.67	1,900,020.00	55,327.15	8,051.81	14,309.45	429,452.53	2,656,073.61
STOREY	193,543.24	1,440,924.00	29,716.70	4,327.86	59,705.51	246,351.49	1,974,568.80
WASHOE	27,329,094.08	92,940,996.48	2,848,493.61	414,461.38	4,606,711.45	19,263,112.34	147,402,869.34
WHITE PINE	393,296.52	2,615,712.00	70,699.47	10,288.99	25,022.90	635,131.58	3,750,151.46
<b>TOTAL</b>	<b>166,733,883.63</b>	<b>583,525,718.79</b>	<b>17,254,627.91</b>	<b>2,509,535.28</b>	<b>29,530,487.40</b>	<b>108,834,075.90</b>	<b>908,388,328.91</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2003-04

<u>COUNTY</u>	<u>BCCRT</u>	<u>SOCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTI</u>	<u>MVPT</u>	<u>TOTAL</u>
CARSON CITY	4,626,760.74	15,895,264.27	379,421.34	69,243.65	538,672.75	2,654,765.23	24,164,127.98
CHURCHILL	1,234,634.21	3,971,723.63	174,418.71	31,834.93	158,576.65	1,226,213.18	6,797,401.31
CLARK	139,417,398.10	481,362,925.61	10,797,538.01	1,970,977.14	37,669,324.34	84,051,502.15	755,269,665.35
DOUGLAS	3,767,662.52	12,669,852.00	307,248.95	56,080.39	1,099,663.70	2,560,114.31	20,460,621.87
ELKO	3,450,563.96	11,720,015.05	320,843.41	58,545.21	209,146.29	2,627,482.89	18,386,596.81
ESMERALDA	35,666.39	922,260.00	7,761.54	1,416.32	2,597.10	117,077.94	1,086,779.29
EUREKA	666,350.75	2,456,800.55	9,608.07	1,753.65	4,675.55	188,626.04	3,327,814.61
HUMBOLDT	1,586,571.34	5,516,672.39	112,871.67	20,599.13	103,368.61	1,077,795.89	8,417,879.03
LANDER	248,445.77	2,460,576.00	37,983.11	6,929.56	13,707.51	443,387.07	3,211,029.02
LINCOLN	127,543.35	1,195,164.00	26,635.97	4,859.86	18,766.55	344,068.30	1,717,038.03
LYON	1,643,052.48	8,382,948.00	271,056.96	49,483.67	746,134.40	2,143,969.69	13,236,645.20
MINERAL	194,751.15	1,716,504.00	32,432.22	5,918.51	10,537.65	299,570.34	2,259,713.87
NYE	1,940,162.97	6,908,268.00	244,146.34	44,566.41	508,287.74	2,285,419.83	11,930,851.29
PERSHING	244,274.09	1,922,244.00	47,970.78	8,754.46	18,519.20	376,705.29	2,618,467.82
STOREY	217,424.94	1,446,396.00	25,265.98	4,611.52	62,806.50	274,036.56	2,030,541.50
WASHOE	30,001,717.03	102,960,585.99	2,500,951.26	456,502.69	6,590,093.40	21,401,623.79	163,911,474.16
WHITE PINE	422,813.00	2,646,312.00	61,213.86	11,170.79	38,307.06	609,981.89	3,789,798.60
<b>TOTAL</b>	<b>189,825,792.79</b>	<b>664,154,511.49</b>	<b>15,357,368.18</b>	<b>2,803,247.89</b>	<b>47,793,185.00</b>	<b>122,682,340.39</b>	<b>1,042,616,445.74</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2004-05

<u>COUNTY</u>	<u>BCCRI</u>	<u>SCCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTI</u>	<u>MVPT</u>	<u>TOTAL</u>
CARSON CITY	4,973,911.47	17,190,215.87	377,445.29	67,022.22	586,224.65	2,821,954.08	26,016,773.58
CHURCHILL	1,448,993.74	4,731,364.63	176,229.53	31,296.28	248,232.05	1,312,772.60	7,948,888.83
CLARK	162,049,967.71	564,835,696.22	11,166,279.62	1,980,990.50	49,600,663.08	94,991,566.37	884,625,163.60
DOUGLAS	4,053,239.42	13,309,680.00	313,583.43	55,644.42	1,473,289.69	2,694,444.47	21,899,881.43
ELKO	3,956,121.72	13,628,224.79	312,994.19	55,579.73	283,219.20	2,917,368.65	21,153,508.28
ESMERALDA	38,254.35	932,400.00	7,682.09	1,363.00	6,725.95	128,194.58	1,114,619.97
EUREKA	895,172.86	3,354,476.70	9,758.58	1,731.76	7,512.03	209,695.08	4,478,347.01
HUMBOLDT	1,883,173.86	6,645,804.76	112,435.05	19,965.94	95,256.42	1,210,207.09	9,966,843.12
LANDER	728,571.79	2,460,576.00	36,058.80	6,403.11	18,434.35	484,631.14	3,734,675.19
LINCOLN	160,298.86	1,195,164.00	25,638.77	4,552.35	81,093.10	385,742.51	1,852,489.59
LYON	1,988,103.23	8,880,060.00	285,452.56	50,615.52	1,101,306.25	2,540,370.99	14,845,908.55
MINERAL	176,455.24	1,746,024.00	31,916.19	5,669.76	13,473.90	327,933.01	2,301,472.10
NYE	2,471,227.19	7,317,924.00	251,715.31	44,672.36	960,793.25	2,632,542.22	13,678,874.33
PERSHING	267,411.94	1,967,028.00	47,030.51	8,363.10	40,232.84	410,280.78	2,740,347.17
STOREY	308,390.84	1,512,492.00	25,534.53	4,534.16	109,365.87	300,753.93	2,261,071.33
WASHOE	33,297,349.49	114,980,103.90	2,556,329.59	453,817.62	8,427,845.80	23,230,383.29	182,945,829.69
WHITE PINE	614,060.16	2,690,244.00	60,406.04	10,726.84	38,787.10	682,511.61	4,096,735.75
<b>TOTAL</b>	<b>219,310,703.87</b>	<b>767,377,478.87</b>	<b>15,796,490.08</b>	<b>2,802,948.67</b>	<b>63,092,455.53</b>	<b>137,281,352.40</b>	<b>1,205,661,429.42</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2005-06

<u>COUNTY</u>	<u>CCRT</u>	<u>SCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTI</u>	<u>MVPI</u>	<u>TOTAL</u>
CARSON CITY	5,212,014.01	17,978,156.30	369,525.46	70,673.99	641,568.70	2,905,942.68	27,177,881.14
CHURCHILL	1,696,275.98	5,593,640.72	171,854.57	32,868.06	340,460.00	1,426,207.47	9,261,306.80
CLARK	177,191,971.75	617,898,556.63	11,347,599.15	2,170,056.52	55,548,166.17	101,384,434.70	965,540,784.92
DOUGLAS	4,084,567.23	14,390,424.00	316,286.97	60,484.88	1,281,280.86	2,796,380.98	22,929,424.92
ELKO	4,824,328.39	16,830,646.67	306,363.06	58,592.43	352,909.70	3,222,246.17	25,595,086.42
ESMERALDA	44,610.94	1,013,340.00	7,829.54	1,497.06	6,379.74	140,873.54	1,214,530.82
EUREKA	1,240,283.22	4,666,582.25	9,739.67	1,862.89	15,621.65	226,679.55	6,160,769.23
HUMBOLDT	2,297,407.72	8,190,835.94	110,213.33	21,077.50	124,884.65	1,334,720.60	12,079,139.74
LANDER	731,057.10	2,579,172.00	35,325.13	6,755.86	40,764.90	558,826.93	3,951,901.92
LINCOLN	161,325.25	1,257,912.00	25,153.16	4,810.69	119,735.00	424,439.18	1,993,375.28
LYON	2,354,906.71	9,905,700.00	297,711.48	56,923.07	1,278,780.25	2,891,241.93	16,785,263.44
MINERAL	193,827.49	1,798,404.00	30,616.57	5,856.18	14,544.85	347,202.29	2,390,451.38
NYE	2,738,603.03	7,864,572.00	254,059.47	48,578.93	1,203,837.29	2,958,506.55	15,068,157.27
PERSHING	301,611.47	1,967,028.00	43,632.85	8,345.10	52,461.33	441,759.98	2,814,838.73
STOREY	442,173.82	1,587,060.00	25,158.55	4,811.03	135,618.45	319,606.99	2,514,428.84
WASHOE	36,055,316.36	124,547,441.29	2,531,383.57	484,110.63	9,228,478.60	24,605,275.42	197,452,005.87
WHITE PINE	763,867.42	2,816,688.00	59,184.86	11,318.75	66,014.30	765,035.42	4,482,108.75
<b>TOTAL</b>	<b>240,334,147.89</b>	<b>840,886,159.80</b>	<b>15,941,637.39</b>	<b>3,048,623.57</b>	<b>70,451,506.44</b>	<b>146,749,380.38</b>	<b>1,317,411,455.47</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2006-07

<u>COUNTY</u>	<u>BCCRI</u>	<u>SCCRI</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTT</u>	<u>MVPTI</u>	<u>TOTAL</u>
CARSON CITY	5,090,083.32	17,438,930.06	354,884.01	71,479.12	519,745.05	2,851,809.62	26,326,931.18
CHURCHILL	1,637,618.70	5,297,892.04	165,752.78	33,397.44	152,845.00	1,404,094.71	8,691,600.67
CLARK	179,800,009.87	624,098,511.46	11,226,808.06	2,262,692.87	41,467,469.70	106,538,932.94	965,394,424.90
DOUGLAS	3,863,754.25	15,573,312.69	312,604.70	62,990.88	872,122.48	2,904,841.84	23,589,626.84
ELKO	5,457,272.10	19,218,558.61	296,001.63	59,625.47	382,602.00	3,488,874.49	28,902,934.30
ESMERALDA	84,967.13	1,133,721.30	7,901.16	1,590.75	10,609.65	135,888.20	1,374,678.19
EUREKA	1,883,715.91	7,199,587.23	9,186.14	1,849.25	13,312.75	214,356.64	9,322,007.92
HUMBOLDT	2,269,682.86	8,087,499.94	107,762.70	21,711.76	119,291.15	1,387,544.33	11,993,492.74
LANDER	1,254,080.55	2,739,851.21	34,329.88	6,916.71	36,637.28	581,629.18	4,653,444.81
LINCOLN	163,391.91	1,321,811.24	24,213.89	4,878.51	42,076.65	441,401.13	1,997,773.33
LYON	2,114,557.60	11,177,596.40	308,558.23	62,260.86	643,226.10	3,009,704.38	17,315,903.57
MINERAL	203,196.61	1,842,643.11	28,474.62	5,728.51	16,353.15	354,562.21	2,450,958.21
NYE	2,797,996.93	9,204,998.80	259,903.49	52,422.46	504,309.19	3,080,519.05	15,900,149.92
PERSHING	326,487.84	2,065,187.42	42,018.69	8,466.80	29,054.88	440,524.13	2,911,739.76
STOREY	397,491.51	1,731,006.19	24,992.39	5,035.21	106,037.25	332,703.50	2,597,266.05
WASHOE	35,787,901.69	122,757,620.04	2,474,787.63	498,655.75	6,474,189.70	25,116,588.51	193,109,743.32
WHITE PINE	909,475.57	3,009,624.73	57,820.38	11,650.01	53,856.00	781,284.77	4,823,711.46
<b>TOTAL</b>	<b>244,041,684.35</b>	<b>853,898,352.47</b>	<b>15,736,000.38</b>	<b>3,171,352.36</b>	<b>51,443,737.98</b>	<b>153,065,259.63</b>	<b>1,321,356,387.17</b>

**CONSOLIDATED TAX DISTRIBUTION**  
**REVENUE SUMMARY BY COUNTY**  
**FISCAL YEAR 2007-08**

<u>COUNTY</u>	<u>BCCTI</u>	<u>SCCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTI</u>	<u>MVPT</u>	<u>TOTAL</u>
CARSON CITY	4,631,250.62	15,742,736.97	335,725.25	70,340.92	278,586.55	2,724,689.76	23,783,330.07
CHURCHILL	1,522,032.67	4,899,629.33	159,060.60	33,321.97	118,631.40	1,379,282.16	8,111,958.13
CLARK	173,575,880.72	598,992,047.97	10,988,198.57	2,304,016.63	29,634,498.74	106,388,128.42	921,882,771.05
DOUGLAS	3,538,042.54	16,479,679.44	301,801.81	63,246.36	674,203.06	2,701,469.70	23,758,442.91
ELKO	5,175,197.19	18,119,894.53	283,355.43	59,415.29	264,875.05	3,727,560.42	27,630,297.91
ESMERALDA	64,079.06	1,149,933.48	7,315.97	1,532.23	7,374.40	144,300.63	1,374,535.77
EUREKA	1,267,362.96	4,776,659.60	8,492.22	1,779.23	11,708.56	229,632.49	6,295,635.06
HUMBOLDT	2,339,888.21	8,331,589.86	103,579.52	21,708.55	108,483.60	1,461,161.41	12,366,411.15
LANDER	869,328.84	2,881,227.48	32,993.77	6,914.86	23,687.95	633,300.18	4,447,453.08
LINCOLN	143,827.50	1,389,091.44	23,395.64	4,906.24	27,980.15	432,934.22	2,022,135.19
LYON	2,065,005.31	12,248,410.08	316,245.66	66,301.32	381,163.20	2,946,762.48	18,023,888.05
MINERAL	211,071.10	1,842,643.08	25,571.00	5,357.08	15,099.15	367,781.57	2,467,522.98
NYE	2,497,661.38	8,033,744.89	262,147.50	54,958.70	357,928.42	2,982,195.81	14,188,636.70
PERSHING	313,742.34	2,183,935.68	40,585.45	8,506.08	30,289.08	472,211.27	3,049,269.90
STOREY	777,583.50	1,816,517.88	24,097.09	5,052.90	131,994.40	330,490.11	3,085,735.88
WASHOE	33,022,270.29	112,341,792.13	2,389,130.92	500,768.04	4,587,131.45	24,583,258.68	177,424,351.51
WHITE PINE	819,971.98	3,171,542.52	55,563.71	11,642.68	62,477.79	822,678.62	4,943,877.30
<b>TOTAL</b>	<b>232,834,196.21</b>	<b>814,401,076.36</b>	<b>15,357,260.11</b>	<b>3,219,769.08</b>	<b>36,716,112.95</b>	<b>152,327,837.93</b>	<b>1,254,856,252.64</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2008-09

<u>COUNTY</u>	<u>BCCRI</u>	<u>SCCRI</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTI</u>	<u>GSI</u>	<u>TOTAL</u>
CARSON CITY	3,938,259.42	13,299,970.00	284,955.50	62,640.47	221,591.15	2,449,057.26	20,256,473.80
CHURCHILL	1,503,470.29	4,940,100.94	134,114.14	29,477.72	81,285.60	1,302,715.09	7,991,163.78
CLARK	150,402,116.94	514,635,034.19	9,660,726.65	2,124,138.99	22,587,888.99	96,205,747.19	795,615,652.95
DOUGLAS	2,991,329.51	16,735,114.52	258,426.93	56,805.49	478,338.85	2,454,854.05	22,974,869.35
ELKO	5,077,828.22	17,850,439.76	249,146.58	54,774.98	214,232.70	3,694,862.18	27,141,284.42
ESMERALDA	49,683.44	1,167,757.49	6,106.55	1,342.54	3,352.70	148,104.46	1,376,347.18
EUREKA	1,170,910.56	4,414,014.90	7,270.37	1,600.82	4,468.75	239,578.19	5,837,843.59
HUMBOLDT	2,403,001.85	8,618,260.24	89,115.88	19,589.96	74,656.45	1,427,378.72	12,632,003.10
LANDER	1,158,645.21	2,925,886.56	28,486.59	6,266.20	17,012.60	621,458.27	4,757,755.43
LINCOLN	127,232.57	1,410,622.34	20,786.03	4,573.98	21,628.75	428,164.28	2,013,007.95
LYON	1,889,100.67	12,438,260.49	275,997.70	60,672.26	384,711.80	2,682,346.26	17,731,089.18
MINERAL	192,890.28	1,871,204.08	21,632.23	4,756.19	8,650.40	370,414.45	2,469,547.63
NYE	2,247,757.72	7,198,486.07	229,465.43	50,473.11	292,032.85	2,714,076.37	12,732,291.55
PERSHING	291,703.78	2,217,786.70	35,024.47	7,702.76	15,463.68	473,686.59	3,041,367.98
STOREY	294,439.26	1,844,673.93	21,267.15	4,677.71	97,048.05	316,013.69	2,578,119.79
WASHOE	27,749,796.49	93,264,087.69	2,068,744.89	454,939.34	3,637,856.20	22,385,471.69	149,560,896.30
WHITE PINE	970,934.77	3,220,701.45	47,434.34	10,430.57	21,000.10	838,960.19	5,109,461.42
<b>TOTAL</b>	<b>202,459,100.98</b>	<b>708,052,401.35</b>	<b>13,438,701.43</b>	<b>2,954,863.09</b>	<b>28,161,219.62</b>	<b>138,752,888.93</b>	<b>1,093,819,175.40</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2009-10

<u>COUNTY</u>	<u>BCRT</u>	<u>SCCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTT</u>	<u>GSI</u>	<u>TOTAL</u>
CARSON CITY	3,444,888.27	11,554,974.24	256,602.76	66,850.52	248,614.30	2,156,521.24	17,728,451.33
CHURCHILL	1,097,035.36	3,486,763.61	120,497.75	31,401.96	73,106.57	1,285,453.36	6,094,258.61
CLARK	136,904,554.15	466,383,589.77	8,782,677.40	2,288,616.02	18,268,852.67	87,652,511.10	720,280,801.11
DOUGLAS	2,742,406.39	15,970,319.77	232,430.40	60,559.30	483,210.74	2,236,947.85	21,725,874.45
ELKO	4,614,331.92	16,071,844.61	226,570.39	59,069.35	195,807.70	3,510,250.64	24,677,874.61
ESMERALDA	30,646.47	1,114,390.93	5,501.46	1,432.52	3,893.75	139,896.93	1,295,762.06
EUREKA	1,107,359.17	4,094,938.37	6,948.08	1,811.06	7,890.52	225,827.74	5,444,774.94
HUMBOLDT	2,210,526.67	7,843,179.43	80,264.69	20,911.13	62,301.80	1,365,165.47	11,582,349.19
LANDER	992,075.55	2,792,173.56	26,416.00	6,887.51	12,903.55	806,259.81	4,636,715.98
LINCOLN	123,278.74	1,346,156.88	19,424.41	5,061.64	12,435.50	400,821.39	1,907,178.56
LYON	1,621,828.94	11,869,832.03	247,954.28	64,574.14	325,683.60	2,446,309.49	16,576,182.48
MINERAL	170,788.35	1,785,690.01	19,726.44	5,143.06	13,470.60	349,736.39	2,344,554.85
NYE	2,029,678.78	6,503,919.09	210,944.24	54,952.76	233,934.15	2,453,597.12	11,487,026.14
PERSHING	245,503.54	2,116,433.87	32,111.66	8,368.12	11,812.90	455,657.85	2,869,887.94
STOREY	224,110.87	1,760,372.29	19,542.82	5,091.72	41,792.50	288,293.83	2,339,204.03
WASHOE	24,668,766.93	82,589,096.57	1,888,790.09	492,091.52	2,767,401.45	21,060,469.01	133,466,615.57
WHITE PINE	762,679.64	3,073,515.37	43,232.10	11,264.38	22,021.45	778,214.06	4,690,927.00
<b>TOTAL</b>	<b>182,990,459.74</b>	<b>640,357,190.39</b>	<b>12,219,634.97</b>	<b>3,184,086.71</b>	<b>22,785,133.75</b>	<b>127,611,933.28</b>	<b>989,148,438.84</b>



**CONSOLIDATED TAX DISTRIBUTION**  
**REVENUE SUMMARY BY COUNTY**  
**FISCAL YEAR 2010-11**

<u>COUNTY</u>	<u>BCCRI</u>	<u>SCCRTI</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTI</u>	<u>GST</u>	<u>TOTAL</u>
CARSON CITY	3,657,316.88	12,454,437.58	245,994.77	68,951.10	190,054.15	1,939,045.10	18,555,799.58
CHURCHILL	1,165,047.89	3,733,126.99	116,779.48	32,732.17	368,544.00	1,099,725.50	6,515,956.03
CLARK	144,608,658.74	499,947,295.88	8,529,163.35	2,390,793.88	17,082,378.14	82,716,076.86	755,274,366.85
DOUGLAS	2,753,700.95	13,905,357.48	222,499.74	62,361.12	502,220.40	2,093,619.52	19,539,759.21
ELKO	5,618,865.25	20,084,997.27	224,517.88	62,935.14	218,530.95	3,581,723.70	29,791,570.19
ESMERALDA	59,720.60	970,300.20	5,145.26	1,442.12	2,637.25	139,482.06	1,178,727.49
EUREKA	1,266,169.69	4,788,856.67	6,851.40	1,920.60	3,784.55	247,058.64	6,314,641.55
HUMBOLDT	2,780,774.31	10,138,909.68	77,705.30	21,782.92	59,352.70	1,367,029.70	14,445,554.61
LANDER	1,074,173.76	2,431,145.52	26,179.89	7,338.26	18,198.95	627,111.59	4,184,147.97
LINCOLN	155,585.42	1,172,098.80	19,080.78	5,349.29	15,695.90	385,697.01	1,753,507.20
LYON	1,642,654.67	10,335,062.76	233,640.51	65,485.79	332,226.95	2,227,422.66	14,836,493.34
MINERAL	214,780.51	1,554,800.28	19,515.82	5,470.30	4,413.20	337,889.14	2,136,869.25
NYE	2,378,027.23	7,894,490.79	201,538.94	56,489.30	213,281.85	2,284,089.70	13,027,917.81
PERSHING	282,365.86	1,842,778.92	31,175.48	8,738.50	14,900.42	456,249.59	2,636,208.77
STOREY	275,520.31	1,532,756.16	18,767.84	5,260.44	42,676.70	258,260.87	2,133,242.32
WASHOE	25,039,791.54	84,534,022.74	1,818,178.67	509,642.21	2,933,687.90	19,873,233.95	134,708,557.01
WHITE PINE	1,381,800.41	2,676,109.80	41,697.08	11,687.61	30,707.60	802,510.92	4,944,513.42
<b>TOTAL</b>	<b>194,354,954.02</b>	<b>679,996,547.52</b>	<b>11,838,432.19</b>	<b>3,318,380.75</b>	<b>22,033,291.61</b>	<b>120,436,226.51</b>	<b>1,031,977,832.60</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2011-12

<u>COUNTY</u>	<u>BCCRT</u>	<u>SCCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTT</u>	<u>GSI</u>	<u>TOTAL</u>
CARSON CITY	3,803,804.16	13,125,327.58	233,780.70	71,502.34	225,080.35	1,830,085.95	19,289,581.08
CHURCHILL	1,224,758.75	4,034,285.43	109,371.45	33,400.40	73,641.70	1,021,413.71	6,496,871.44
CLARK	152,542,321.19	532,239,199.13	8,234,896.56	2,518,325.32	16,202,828.85	80,569,473.86	792,307,044.71
DOUGLAS	2,860,561.29	12,722,011.56	204,827.24	62,578.61	443,712.86	1,974,549.92	18,268,241.48
ELKO	6,722,961.35	24,259,381.69	216,291.65	66,059.36	280,146.90	3,757,523.53	35,302,364.48
ESMERALDA	100,339.60	887,727.72	4,555.99	1,380.94	4,387.90	136,309.97	1,134,702.12
EUREKA	1,514,758.65	5,706,515.59	7,011.59	2,159.10	33,790.35	259,851.72	7,524,087.00
HUMBOLDT	3,027,360.26	11,062,485.73	75,920.19	23,170.27	110,039.03	1,346,890.50	15,645,865.98
LANDER	1,618,897.29	2,224,255.08	25,061.87	7,664.17	24,135.10	629,489.43	4,529,502.94
LINCOLN	144,834.19	1,072,353.24	19,848.39	6,095.15	16,708.45	367,254.67	1,627,094.09
LYON	1,710,524.04	9,455,548.92	218,994.99	66,976.51	265,668.15	2,110,334.86	13,828,047.47
MINERAL	302,443.05	1,422,486.84	18,797.28	5,753.54	11,007.70	330,321.51	2,090,809.92
NYE	2,422,480.96	8,118,109.67	189,466.37	57,905.48	186,547.90	2,077,155.99	13,051,666.37
PERSHING	419,617.96	1,685,958.48	29,628.85	9,049.97	28,756.68	465,271.09	2,638,283.03
STOREY	341,411.02	1,402,318.68	17,630.00	5,387.26	86,218.00	254,292.88	2,107,257.84
WASHOE	26,013,590.36	88,978,049.66	1,748,991.05	535,032.93	2,657,796.90	19,219,614.16	139,153,075.06
WHITE PINE	1,224,830.08	2,448,372.96	40,115.76	12,287.31	23,126.95	771,134.56	4,519,867.62
<b>TOTAL</b>	<b>205,995,494.20</b>	<b>720,844,387.96</b>	<b>11,395,189.93</b>	<b>3,484,728.66</b>	<b>20,673,593.77</b>	<b>117,120,968.11</b>	<b>1,079,514,362.63</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2012-13

<u>COUNTY</u>	<u>BCCRT</u>	<u>SCCRT</u>	<u>CIGARETTE</u>	<u>LIQUOR</u>	<u>RPTT</u>	<u>GSI</u>	<u>TOTAL</u>
CARSON CITY	3,986,047.29	13,733,907.24	234,829.80	69,919.23	268,182.65	1,817,628.96	20,110,515.17
CHURCHILL	1,280,043.48	4,217,886.60	105,280.95	31,346.78	89,257.30	985,248.04	6,709,063.15
CLARK	160,756,560.58	561,181,771.19	8,241,710.54	2,453,922.38	18,055,558.24	82,667,449.58	833,356,972.51
DOUGLAS	3,018,304.98	13,283,052.23	199,625.83	59,437.44	630,982.00	1,991,501.93	19,182,904.41
ELKO	6,921,274.10	25,095,607.71	208,840.45	62,181.06	292,568.65	3,775,210.11	36,355,682.08
ESMERALDA	88,544.18	942,855.56	3,455.46	1,028.83	2,463.45	132,255.38	1,170,602.86
EUREKA	1,467,619.83	5,551,844.98	8,351.77	2,486.69	8,363.85	269,468.27	7,308,135.39
HUMBOLDT	3,853,221.55	14,252,493.57	71,769.15	21,368.85	111,734.14	1,390,303.43	19,700,890.69
LANDER	1,927,673.18	2,362,381.27	25,080.43	7,467.57	25,707.28	632,970.88	4,981,280.61
LINCOLN	134,869.22	1,092,298.98	22,131.78	6,589.62	16,632.00	352,626.25	1,625,147.85
LYON	1,840,262.08	9,823,369.72	219,655.02	65,401.02	302,928.45	2,117,374.66	14,368,990.95
MINERAL	252,213.22	1,414,236.40	19,271.06	5,737.84	11,593.45	326,506.46	2,029,558.43
NYE	2,612,270.12	8,794,253.23	186,440.60	55,511.62	194,441.50	2,110,337.09	13,953,254.16
PERSHING	408,219.00	1,759,972.04	28,678.35	8,538.82	25,301.06	458,209.89	2,688,919.16
STOREY	341,361.83	1,483,933.58	17,268.98	5,141.73	31,747.10	263,105.08	2,142,558.30
WASHOE	27,618,964.13	94,326,316.29	1,765,822.33	525,763.52	3,402,263.70	19,377,266.87	147,016,396.84
WHITE PINE	1,168,659.97	2,514,968.65	41,892.91	12,473.37	31,363.75	752,112.93	4,521,471.58
<b>TOTAL</b>	<b>217,676,108.74</b>	<b>761,831,149.24</b>	<b>11,400,105.41</b>	<b>3,394,316.37</b>	<b>23,501,088.57</b>	<b>119,419,575.81</b>	<b>1,137,222,344.14</b>

**CONSOLIDATED TAX DISTRIBUTION**  
REVENUE SUMMARY BY COUNTY  
FISCAL YEAR 2013-14

COUNTY	BCRT	SOCT	CIGARETTE	LIQUOR	RPTI	GST	TOTAL
CARSON CITY	3,032,396.82	10,397,975.64	163,627.47	50,832.64	219,848.20	1,449,587.46	15,314,268.23
CHURCHILL	938,744.48	3,051,008.64	74,486.94	23,140.17	47,702.60	773,270.91	4,908,353.74
CLARK	127,079,370.23	442,620,271.27	5,867,919.50	1,822,932.35	14,423,423.27	65,547,874.60	657,361,791.22
DOUGLAS	2,419,946.52	10,205,569.25	141,710.54	44,023.89	504,846.31	1,571,224.65	14,887,121.16
ELKO	4,594,061.60	16,421,598.17	152,795.92	47,467.70	208,998.65	2,879,643.71	24,304,465.75
ESMERALDA	48,957.40	749,145.75	2,538.18	788.51	9,642.60	109,205.72	920,278.16
EUREKA	904,873.21	3,401,885.49	5,935.23	1,843.84	5,839.60	219,349.79	4,539,527.16
HUMBOLDT	2,704,888.95	9,942,391.53	51,306.80	15,939.01	67,115.94	1,089,110.01	13,870,752.24
LANDER	956,328.01	1,870,828.50	18,360.54	5,703.89	18,291.90	507,398.39	3,376,911.23
LINCOLN	101,181.83	804,642.00	15,052.05	4,676.08	8,819.25	278,974.30	1,213,345.51
LYON	1,398,028.71	7,464,778.50	154,194.88	47,902.30	272,747.75	1,707,094.03	11,044,746.17
MINERAL	182,538.96	1,096,740.00	13,809.51	4,290.07	5,435.65	258,449.32	1,561,263.51
NYE	1,853,801.84	6,141,575.80	130,722.54	40,610.36	128,662.60	1,612,009.83	9,907,382.97
PERSHING	315,931.53	1,374,362.25	20,698.04	6,430.08	12,711.05	379,571.67	2,109,704.62
STOREY	266,941.31	1,126,416.75	12,109.51	3,761.94	62,673.94	206,988.96	1,678,872.41
WASHOE	21,954,286.71	75,031,448.70	1,262,317.17	392,152.42	2,981,898.25	15,682,163.16	117,214,266.41
WHITE PINE	842,109.75	1,907,541.00	29,351.49	9,118.36	18,966.20	602,134.54	3,409,221.34
TOTAL	169,594,387.86	593,607,979.24	8,116,936.31	2,521,613.61	19,007,423.76	94,773,981.05	887,622,271.88

# Base Distributions

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
THE COUNTY OF CARSON CITY											
CARSON CITY	16,549,119.52	18,940,893.73	19,811,534.76	20,465,254.44	20,813,730.88	21,312,505.88	21,717,443.49	22,434,119.13	23,196,879.18	22,993,263.83	19,969,586.89
SPECIAL DISTRICTS											
CARSON-TRUCKEE WATER CONSERVANCY	21,576.40	24,612.32	25,731.84	26,603.27	28,954.72	27,681.21	28,207.16	29,137.99	30,123.68	29,864.22	25,876.76
SIERRA FOREST FIRE PROTECTION	217,041.20	247,647.46	258,895.31	267,677.11	271,321.77	278,508.46	283,800.12	283,165.52	303,133.15	300,472.34	281,010.14
TOTAL CARSON CITY	16,787,737.11	19,212,953.51	20,096,261.91	20,779,534.82	21,112,007.37	21,618,695.55	22,029,450.77	22,766,422.64	23,530,141.01	23,323,600.39	20,256,473.80
THE COUNTY OF CHURCHILL											
LOCAL GOVERNMENTS											
CHURCHILL COUNTY	4,094,497.16	4,331,763.78	4,513,570.79	4,484,074.05	4,555,819.22	4,665,158.89	4,753,796.90	4,910,672.20	5,077,635.06	5,204,575.93	5,331,305.17
FALLON	1,154,596.49	1,240,076.30	1,293,235.82	1,284,784.35	1,305,340.90	1,336,669.08	1,362,065.79	1,407,013.96	1,454,652.44	1,491,223.75	1,527,534.42
SPECIAL DISTRICTS											
CARSON-TRUCKEE WATER CONSERVANCY	6,086.06	6,516.73	6,788.38	6,744.01	6,851.90	7,016.35	7,149.66	7,385.60	7,636.71	7,827.63	8,016.23
CHURCHILL MOSQUITO ABATEMENT GID	202,410.09	216,723.76	225,763.60	224,288.20	227,876.82	233,346.87	237,779.44	245,626.16	253,977.45	250,326.88	256,665.73
TOTAL CHURCHILL COUNTY	5,397,523.79	5,795,085.66	6,039,358.59	5,999,890.60	6,095,888.85	6,242,190.18	6,380,791.80	6,570,697.92	6,794,101.65	6,963,954.20	7,133,523.55

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

<u>2010</u>	<u>2011</u>	<u>GRAND TOTAL</u>
17,477,368.14	17,798,955.33	263,499,985.20
22,647.31	23,053.30	342,085.19
228,435.88	232,631.70	3,443,740.15
17,728,451.33	18,054,080.33	287,285,810.54
		-
		-
4,554,600.85	4,544,956.47	50,952,366.48
1,304,991.81	1,302,228.48	17,464,513.59
		-
6,850.07	6,835.56	91,706.99
227,815.88	227,933.49	3,049,938.35
6,094,258.61	6,081,354.00	81,568,625.30

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
HE COUNTY OF CLARK											
ENTERPRISE DISTRICT											
YLE CANYON WATER DISTRICT	10,346.04	10,346.04	10,346.04	10,346.04	10,346.04	10,346.04	10,346.04	10,346.04	10,346.04	10,346.04	10,346.04
LOCAL GOVERNMENTS											
CLARK COUNTY	164,146,336.68	191,798,145.92	199,955,200.48	206,150,754.15	209,443,948.77	214,459,672.46	218,534,304.34	225,745,936.38	233,421,236.22	239,256,830.67	249,066,860.73
	4,813,396.66	5,594,667.16	6,113,660.93	6,318,136.84	8,420,922.77	6,576,813.88	6,701,779.34	6,922,931.87	7,159,311.55	7,337,269.34	7,538,097.38
OLDER CITY	39,533,040.84	47,279,360.06	52,046,765.28	57,961,754.30	58,900,876.76	60,292,703.22	61,439,264.58	63,465,727.31	66,623,562.04	67,264,151.09	70,021,981.28
AS VEGAS	124,771,677.19	147,174,688.96	161,391,655.20	166,789,076.26	169,464,533.96	173,559,891.59	176,861,405.34	182,687,501.71	188,898,876.77	193,621,348.69	201,559,823.99
ESQUITE	3,656,966.12	4,536,473.19	5,068,952.28	5,244,173.54	5,319,215.95	5,442,203.61	5,545,605.48	5,728,610.46	5,923,383.22	6,071,467.80	6,320,397.98
ORTH LAS VEGAS	20,691,833.59	24,701,871.87	27,267,167.78	28,213,493.62	28,654,945.99	29,332,848.14	29,890,177.26	30,678,547.94	31,928,350.57	32,724,509.33	34,066,214.21
	297,788.65	349,290.52	388,611.17	401,443.25	408,060.57	418,051.21	425,984.18	440,051.99	455,013.76	466,388.10	483,511.05
UNKERVILLE	719,737.79	1,686,774.41	2,228,504.65	2,312,779.62	2,346,023.02	2,397,329.60	2,442,573.87	2,523,493.87	2,609,292.66	2,674,524.98	2,784,180.50
ENTERPRISE	1,276.41	1,495.59	1,691.51	1,795.94	-	-	-	-	-	-	-
LENDALDE	3,439,880.96	4,001,993.15	4,362,169.40	4,502,233.37	4,578,103.60	4,692,634.51	4,781,794.56	4,939,593.78	5,107,539.97	5,235,228.47	5,448,872.84
AUGHLIN	398,958.60	472,504.45	522,104.10	539,874.46	548,874.82	561,567.17	572,328.66	591,215.51	611,316.83	626,599.75	652,290.34
ARADISE	32,841,282.94	38,705,611.00	42,163,895.33	43,598,548.51	44,289,341.00	45,358,107.91	46,219,911.96	47,745,169.05	49,369,504.80	50,602,717.42	52,677,428.83
BARCLIGHT	218,007.22	283,800.72	274,508.45	283,384.46	288,098.80	295,304.40	300,915.19	310,945.39	321,414.13	329,449.49	342,956.92
PRING VALLEY	5,797,193.41	9,136,323.16	11,829,672.02	12,288,163.74	12,430,801.14	12,725,853.14	12,967,544.35	13,398,576.61	13,951,026.22	14,197,301.87	14,779,391.25
UNMERLIN	14,388.07	26,430.91	95,593.01	102,209.44	102,462.05	102,770.31	104,722.94	108,179.80	111,856.88	114,653.30	119,354.09
UNRISE MANOR	4,528,021.17	5,325,562.10	5,899,124.13	6,094,911.93	6,132,666.62	6,281,478.98	6,400,827.08	6,612,054.38	6,836,864.23	7,007,786.83	7,295,105.05
HTNEY	353,607.25	415,610.24	455,844.35	471,384.92	478,960.83	490,377.78	499,594.56	516,184.89	533,735.18	547,078.56	569,508.78
WINCHESTER	7,371,497.25	8,613,323.81	9,304,569.06	9,609,304.84	9,766,783.54	10,009,455.82	10,199,635.48	10,536,223.45	10,894,455.05	11,166,816.43	11,624,655.90
PECIAL DISTRICTS											
OLDER LIBRARY DISTRICT	298,381.41	336,495.14	367,080.08	379,229.41	385,434.24	394,888.98	402,391.37	415,670.80	429,803.61	440,548.70	458,611.20
CLARK COUNTY FIRE PROTECTION	22,749,201.97	26,584,268.01	29,074,691.30	30,047,666.91	30,536,056.67	31,277,304.31	31,871,573.10	32,923,336.01	34,042,723.40	34,893,796.61	36,324,442.27
ENDERSON LIBRARY DISTRICT	1,005,130.94	1,193,212.11	1,313,620.51	1,358,699.57	1,380,262.89	1,418,166.53	1,439,986.13	1,487,503.67	1,539,080.86	1,576,532.88	1,641,170.73
AS VEGAS/CLARK CO LIBRARY DISTRICT	9,422,212.08	11,000,500.25	12,019,165.44	12,420,170.69	12,622,118.79	12,929,723.55	13,175,388.30	13,610,176.11	14,072,922.10	14,424,745.15	15,016,169.70
IOAPA FIRE PROTECTION	400,203.28	464,510.49	505,650.84	522,163.01	530,819.79	543,957.46	554,292.66	572,584.31	592,052.18	608,853.48	631,784.47
IT CHARLESTON FIRE PROTECTION	75,691.46	88,249.30	96,263.46	99,622.35	101,118.88	103,556.10	105,523.66	109,005.95	112,712.15	115,526.95	120,266.68
TOTAL CLARK COUNTY	437,543,046.89	519,735,738.57	572,026,656.81	595,611,211.36	605,140,825.23	619,669,956.73	631,437,373.33	652,274,467.29	674,461,447.42	691,312,474.95	719,656,862.21



NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

2010	2011	GRAND TOTAL
248,149,824.62	10,346.04	-
7,809,980.04	286,046,943.62	134,498.52
68,784,308.29	7,896,416.88	87,042,408.44
200,818,106.67	71,984,487.35	785,577,012.41
6,297,139.63	206,959,652.50	2,294,482,408.74
33,940,854.38	6,497,639.78	71,849,131.04
483,724.42	35,020,987.99	387,307,897.99
2,773,935.03	498,502.18	5,518,432.07
5,429,817.92	2,862,212.73	30,361,667.72
649,889.99	-	6,191.45
52,483,581.83	5,802,616.42	62,123,468.95
341,694.88	670,672.08	7,418,066.56
14,725,004.76	54,131,312.21	600,186,382.79
118,914.88	350,920.62	3,911,298.68
7,268,259.89	15,187,706.68	163,261,658.35
567,413.05	122,899.22	1,244,173.90
11,581,878.48	7,482,595.88	83,045,477.27
455,923.56	585,470.40	6,485,071.19
38,190,772.42	11,950,460.14	132,629,059.24
1,636,181.41	470,699.96	5,227,158.96
14,960,901.93	37,334,586.87	413,850,843.84
629,409.76	1,686,667.81	18,669,038.04
119,824.11	15,423,133.71	171,097,337.93
717,007,647.88	648,368.18	7,202,594.88
	123,555.33	1,370,819.38
	739,488,454.39	8,175,356,165.09

Case No. 66851  
JA 2552

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
THE COUNTY OF DOUGLAS											
INTERPRISE DISTRICTS											
DOUGLAS CO SEWER IMPROVEMENT GID	137,984.42	137,984.42	137,984.42	137,984.42	137,984.42	137,984.42	137,984.42	137,984.42	137,984.42	137,984.42	137,984.42
LAKE POINT SANITATION GID	7,310.98	7,310.98	7,310.98	7,310.98	7,310.98	7,310.98	7,310.98	7,310.98	7,310.98	7,310.98	7,310.98
INDEPENDENCE SANITATION GID	134,659.41	134,659.41	134,659.41	134,659.41	134,659.41	134,659.41	134,659.41	134,659.41	134,659.41	134,659.41	134,659.41
LAKE DO SEWER IMPROVEMENT GID	437,670.34	437,670.34	437,670.34	437,670.34	437,670.34	437,670.34	437,670.34	437,670.34	437,670.34	437,670.34	437,670.34
LOCAL GOVERNMENTS											
DOUGLAS COUNTY	6,921,604.88	8,135,951.84	8,780,663.53	9,080,303.73	9,224,494.40	9,445,882.27	9,625,354.03	9,942,990.71	10,281,052.40	10,538,078.71	10,970,199.94
ARDNERVILLE	184,678.26	194,303.09	210,556.39	218,023.42	221,198.75	226,507.52	230,811.17	236,427.94	248,534.49	252,697.85	263,068.46
ENCLAVE	6,786.56	6,008.46	8,655.11	8,950.89	9,092.58	9,310.80	9,487.71	9,800.80	10,134.03	10,387.38	10,813.26
INDEN	218,981.84	258,306.75	279,255.45	288,869.33	299,370.14	300,411.02	306,118.83	316,220.75	326,972.26	336,146.57	346,667.58
SPECIAL DISTRICTS											
ARSON-TRUCKEE WATER CONSERVANCY	15,212.16	17,758.45	19,128.89	19,777.85	20,093.74	20,578.04	20,998.02	21,661.00	22,397.47	22,957.41	23,898.66
AVE ROCK GID	11,508.40	13,404.55	14,428.14	14,912.87	15,157.39	15,521.17	15,816.07	16,338.00	16,893.50	17,315.83	18,025.78
DOUGLAS MOSQUITO PROTECTION GID	83,378.43	97,740.45	105,980.36	108,978.00	110,717.20	113,374.41	115,528.53	119,340.97	123,396.56	126,483.52	131,668.34
EAST FORK FIRE PROTECTION	879,286.13	1,031,137.62	1,112,972.32	1,151,421.39	1,169,226.39	1,197,287.82	1,220,086.29	1,260,297.49	1,303,147.60	1,335,726.29	1,686,942.97
ARDNERVILLE RANCHOS GID	490,790.31	573,308.83	617,293.06	638,020.72	648,468.52	664,067.36	676,674.45	690,004.71	722,770.87	740,840.14	771,214.59
DIAN HILLS GID	183,370.47	194,869.52	211,672.16	219,175.84	222,370.91	227,707.82	232,034.26	239,691.89	247,840.90	254,036.92	264,462.43
INGSBURY GID	338,294.52	338,799.80	423,815.19	438,031.06	445,236.51	455,922.18	464,584.70	479,916.00	486,233.14	508,638.97	528,493.17
KERIDGE GID	10,866.75	12,660.69	13,632.13	14,090.32	14,321.15	14,664.86	14,943.49	15,436.53	15,981.47	16,360.51	17,031.29
OGAN CREEK GID	4,691.12	5,437.75	5,859.78	6,058.15	6,155.96	6,303.70	6,423.48	6,535.45	6,861.06	7,032.58	7,320.92
ARLA BAY GID	33,695.83	39,308.40	42,336.92	43,760.34	44,476.80	45,544.25	46,409.59	47,941.10	49,571.10	50,810.38	52,893.61
LIVER PARK GID	12,407.71	14,402.38	15,481.66	15,996.61	16,264.19	16,654.53	16,970.97	17,531.01	18,127.07	18,580.24	19,342.03
QUIND HILL GID	250,682.71	291,353.06	313,527.81	324,098.04	329,374.44	337,279.43	343,687.74	355,029.44	367,100.44	376,277.95	381,705.35
RIERA FOREST FIRE PROTECTION	175,472.56	205,320.16	221,276.73	228,768.16	232,460.94	238,040.01	242,582.77	250,587.34	259,086.63	265,563.79	271,917.92
RYLAND GID	47,791.35	55,650.29	59,924.44	61,939.73	62,953.26	64,464.14	65,688.96	67,866.70	70,163.83	71,917.92	74,866.55
LAHOE DOUGLAS FIRE PROTECTION	2,612,308.48	3,036,846.28	3,266,875.39	3,376,035.41	3,431,785.23	3,514,149.10	3,580,917.93	3,698,038.22	3,824,857.22	3,920,478.55	4,061,218.27
OPAZ RANCH GID	41,738.82	48,818.80	52,605.53	54,380.69	55,264.53	56,590.88	57,686.11	59,566.09	61,584.44	63,134.30	65,722.81
EPHYR COVE GID	17,703.04	20,652.91	22,259.91	23,008.11	23,385.01	23,946.25	24,401.23	25,206.47	26,063.49	26,715.08	27,810.40
EPHYR HEIGHTS GID	55,792.52	64,949.50	69,924.16	72,275.66	73,458.40	75,221.41	76,650.61	79,180.08	81,872.21	83,919.01	87,359.69
EPHYR KNOLLS GID	2,044.80	2,384.70	2,567.51	2,653.82	2,697.28	2,762.02	2,814.50	2,907.37	3,006.22	3,081.33	3,207.72
TOTAL DOUGLAS COUNTY	13,275,460.41	15,433,989.43	16,557,547.55	17,127,124.91	17,389,676.90	17,785,806.15	18,114,177.59	18,686,263.82	19,299,265.53	19,763,806.54	20,544,699.97

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

2010	2011	GRAND TOTAL
137,984.42	137,984.42	1,793,797.46
7,310.98	7,310.98	95,042.74
134,659.41	134,659.41	1,750,572.33
437,670.34	437,670.34	6,689,714.42
10,981,110.08	10,414,115.37	124,341,761.10
258,321.52	249,725.27	2,979,839.13
10,824.07	10,265.18	122,516.32
349,236.47	331,204.12	3,952,951.12
23,922.56	22,687.35	271,044.62
18,043.81	17,112.14	204,477.65
131,801.01	124,995.64	1,492,797.42
1,588,609.91	1,582,453.60	16,678,546.73
771,986.80	782,125.36	8,746,489.70
284,716.88	251,048.68	2,992,988.10
590,022.66	502,655.68	6,006,643.57
17,048.32	16,168.05	193,185.56
7,328.24	6,949.86	83,018.05
52,946.50	50,212.68	599,307.49
19,351.37	18,351.57	219,481.47
392,097.06	371,851.66	4,444,054.82
74,941.42	71,071.92	2,319,119.08
4,086,293.49	3,874,360.60	849,170.52
65,788.53	62,391.63	46,304,022.27
27,838.21	26,400.82	745,257.04
67,447.06	82,931.84	315,400.93
3,210.93	3,045.14	990,922.33
20,564,527.04	19,539,759.21	36,383.40
		234,119,105.03

Case No. 66851  
JA 2554

NEVADA DEPARTMENT OF TAXATION  
CONSOLIDATED TAX DISTRIBUTION  
FISCAL YEAR 1998-99

ENTITY	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
IE COUNTY OF ELKO											
TERPRISE DISTRICT											
CO CONVENTION/VISITORS AUTHORITY	391,396.32	32,616.36	32,616.36	32,616.36	32,616.36	32,616.36	32,616.36	32,616.36	32,616.36	32,616.36	32,616.36
CO TELEVISION DISTRICT	193,451.52	13,620.96	13,620.96	13,620.96	13,620.96	13,620.96	13,620.96	13,620.96	13,620.96	13,620.96	13,620.96
ICAL GOVERNMENTS											
CO COUNTY	6,779,180.54	6,619,728.67	6,972,851.63	6,766,226.30	6,864,370.46	7,048,190.61	7,183,125.24	7,420,188.37	7,672,454.09	7,864,265.44	8,186,700.32
RLIN	856,216.02	856,077.10	879,167.09	852,603.61	853,633.89	888,180.75	905,056.19	934,923.04	966,710.42	990,878.18	1,031,504.19
CO CITY	6,138,169.13	5,993,794.30	6,308,435.00	6,119,339.18	6,196,775.43	6,374,981.76	6,495,088.04	6,710,456.87	6,988,612.41	7,112,077.72	7,403,672.81
ILLS	551,866.54	538,676.43	567,494.83	550,272.73	557,275.08	572,415.74	583,292.66	602,541.31	623,027.72	638,603.41	664,786.15
EST WENDOVER	1,288,792.73	1,223,184.88	1,296,444.35	1,259,897.23	1,277,741.15	1,314,058.08	1,338,026.19	1,383,213.02	1,430,242.26	1,465,998.32	1,526,104.25
CKPOT	568,854.69	563,122.68	585,442.93	567,141.30	575,828.79	595,037.71	708,243.42	731,615.46	766,490.38	775,402.64	807,194.15
UNTELLO	4,331.18	4,229.31	4,458.87	4,301.34	4,357.14	4,480.99	4,566.12	4,716.81	4,877.18	4,999.11	5,204.07
DUNTAIN CITY	3,385.30	3,305.67	3,469.03	3,361.94	3,404.58	3,496.90	3,563.34	3,680.93	3,806.08	3,901.23	4,061.18
ITAL ELKO COUNTY	16,815,633.96	15,924,556.36	16,764,001.04	16,269,380.96	16,481,623.85	16,948,060.86	17,263,195.51	17,837,553.13	18,442,457.86	18,902,363.38	19,675,464.54
IE COUNTY OF ESMERALDA											
ICAL GOVERNMENTS											
IMERALDA COUNTY	910,679.09	916,335.26	941,076.30	973,068.60	988,642.06	1,012,369.47	1,031,604.49	1,066,647.44	1,101,879.45	1,129,426.44	1,175,732.92
LDFIELD	19,837.30	19,957.41	20,486.26	21,189.91	21,532.22	22,049.00	22,487.93	23,209.37	23,988.49	24,598.45	25,606.99
IVER PEAK	14,649.52	14,747.34	15,145.54	15,668.01	15,911.05	16,232.92	16,602.49	17,150.37	17,733.48	18,176.82	18,922.07
ITAL ESMERALDA COUNTY	945,165.92	951,040.02	976,718.10	1,009,926.52	1,026,085.34	1,050,711.39	1,070,674.90	1,106,007.18	1,143,611.42	1,172,201.71	1,220,281.98
IE COUNTY OF EUREKA											
TERPRISE DISTRICT											
JREKA TELEVISION DISTRICT	55,077.84	55,077.84	55,077.84	55,077.84	55,077.84	55,077.84	55,077.84	55,077.84	55,077.84	55,077.84	55,077.84
ICAL GOVERNMENTS											
JREKA COUNTY	3,318,278.89	3,352,451.38	2,952,325.77	2,947,635.99	3,017,433.99	3,088,852.40	3,149,559.60	3,252,462.06	3,363,045.77	3,447,121.92	3,588,453.92
RESENT VALLEY	783.75	791.82	724.79	723.65	752.90	770.97	785.61	811.54	839.13	860.11	895.37
JREKA	1,954.44	1,974.57	1,773.45	1,770.62	1,838.25	1,882.37	1,918.13	1,981.43	2,048.60	2,100.02	2,186.12
SPECIAL DISTRICTS											
AMOND VALLEY RODENT	3,199.89	3,232.82	2,868.88	2,864.30	2,955.41	3,026.34	3,083.84	3,185.61	3,263.92	3,376.27	3,514.70
AMOND VALLEY WEEB	3,199.89	3,232.82	2,868.88	2,864.30	2,955.41	3,026.34	3,083.84	3,185.61	3,263.92	3,376.27	3,514.70
ITAL EUREKA COUNTY	3,382,494.68	3,416,761.26	3,015,640.61	3,010,996.71	3,081,013.79	3,153,636.26	3,212,508.87	3,316,704.09	3,427,599.38	3,511,912.42	3,653,642.65

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

CITY OF FERNLEY, NEVADA, a  
Nevada municipal corporation,

Appellant,

vs.

THE STATE OF NEVADA ex rel.  
DEPARTMENT OF TAXATION;  
THE HONORABLE DAN  
SCHWARTZ, in his official capacity  
as TREASURER OF THE STATE OF  
NEVADA; and THE LEGISLATURE  
OF THE STATE OF NEVADA,

Respondents.

Electronically Filed  
May 20 2015 10:29 a.m.  
Tracie K. Lindeman  
Clerk of Supreme Court

Supreme Court No.: 66851

District Court Case No.: 12 OC 00168 1B

**JOINT APPENDIX**

**VOLUME 14 PART 1**

Filed By:

Joshua J. Hicks, Esq.  
Nevada Bar No. 6678  
BROWNSTEIN HYATT  
FARBER SCHRECK, LLP  
50 West Liberty Street, Suite 1030  
Reno, Nevada 89501  
Telephone: (775) 622-9450  
Email: jhicks@bhfs.com

*Attorneys for Appellant City of Fernley,  
Nevada*

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

Volume Number	Document	Filed By	Date	Bates Stamp Number
1	Affidavit of Service Taxation	City of Fernley	07/02/12	17
1	Affidavit of Service Treasurer	City of Fernley	06/20/12	13-16
23	Amended Memorandum of Costs and Disbursements	State of Nevada/Dept Taxation	10/09/15	4058-4177
7	Answer	State of Nevada/Dept Tax/ Treasurer	02/01/13	1384-1389
7	Answer to Plaintiff's Complaint	Nevada Legislature	01/29/13	1378-1383
23	Case Appeal Statement	City of Fernley	11/07/14	4208-4212
1	Complaint	City of Fernley	06/06/12	1-12
21	Defendant Nevada Legislature's Reply in Support of its Motion for Summary Judgment	Nevada Legislature	07/25/14	3747-3768
21	Defendant's Opposition to Motion to Retax Costs and Reply to Opposition to Motion for Costs	State of Nevada/Dept Taxation	10/03/14	3863-3928
22	Defendant's Opposition to Motion to Retax Costs and Reply to Opposition to Motion for Costs (Cont.)	State of Nevada/Dept Taxation	10/03/14	3929-3947
1	Exhibits to Joinder in Motion to Dismiss	Nevada Legislature	08/16/12	104-220
2	Exhibits to Joinder in Motion to Dismiss (Cont.)	Nevada Legislature	08/16/12	221-332
1	Joinder in Motion to Dismiss	Nevada Legislature	08/16/12	62-103
7	Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	Nevada Legislature	05/06/14	1421-1423
21	Memorandum of Costs and Disbursements	State of Nevada/Dept Taxation	09/19/14	3788-3793
21	Motion for Costs	State of Nevada/Dept Taxation	09/19/14	3776-3788
12	Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order	City of Fernley	06/18/14	2005-2045
7	Motion for Summary Judgment	City of Fernley	06/13/14	1458-1512
8	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1513-1732
9	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1733-1916
10	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1917-1948
11	Motion for Summary Judgment (Cont.)	City of Fernley	06/13/14	1949-2004
1	Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	08/03/12	41-58
1	Motion to Intervene	Nevada Legislature	08/03/12	18-40
21	Motion to Retax Costs and Opposition to Motion for Costs	City of Fernley	09/24/14	3794-3845
7	Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	05/05/14	1414-1420
7	Nevada Department of Taxation and Nevada Treasurer's Reply to Response to Renewal of Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	05/23/14	1433-1437
12	Nevada Department of Taxation's Opposition to Plaintiff's Motion for Summary Judgment	State of Nevada/Dept Taxation	07/11/14	2053-2224
13	Nevada Department of Taxation's Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	State of Nevada/Dept Taxation	07/11/14	2225-2353

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

<b>Volume Number</b>	<b>Document</b>	<b>Filed By</b>	<b>Date</b>	<b>Bates Stamp Number</b>
23	Notice of Appeal	City of Fernley	11/07/14	4205-4207
22	Notice of Entry of Order	Nevada Legislature	10/08/14	4001-4057
23	Notice of Entry of Order	State of Nevada/Dept	10/17/14	4195-4204
7	Notice of Entry of Order Denying City of Fernley's Motion for Reconsideration of Order Dated November 13, 2012	State of Nevada/Dept Tax/ Treasurer	12/19/12	1364-1370
7	Notice of Entry of Order Granting A Continuance to Complete Discovery	City of Fernley	10/19/12	1344-1350
3	Notice of Entry of Order Granting Nevada Legislature's Motion to Intervene	Nevada Legislature	09/04/12	651-657
7	Notice of Entry of Order on Defendant's Motion for Extensions of Time to File Answer	State of Nevada/Dept Tax/ Treasurer	11/15/12	1354-1360
1	Notice of Non-Opposition to Legislature's Motion to Intervene	State of Nevada/Dept Tax/ Treasurer	08/06/12	59-61
2	Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP 56(F)	City of Fernley	08/20/12	331-441
3	Opposition to Motion to Dismiss and Motion for Continuance Pursuant to NRCP 56(F) (Cont.)	City of Fernley	08/20/12	442-625
2	Opposition to Motion to Nevada Legislature's Motion to Intervene	City of Fernley	08/20/12	324-330
13	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	City of Fernley	07/11/14	2354-2445
14	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2446-2665
15	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2666-2819
16	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2820-2851
17	Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss (Cont.)	City of Fernley	07/11/14	2852-2899
4	Opposition to Nevada Legislature's Joinder in Motion to Dismiss	City of Fernley	09/28/12	662-881
5	Opposition to Nevada Legislature's Joinder in Motion to Dismiss (Cont.)	City of Fernley	09/28/12	882-1101
6	Opposition to Nevada Legislature's Joinder in Motion to Dismiss (Cont.)	City of Fernley	09/28/12	1102-1316
17	Opposition to Nevada Legislature's Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	City of Fernley	07/11/14	2900-2941
20	Opposition to Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order	Nevada Legislature	07/11/14	3586-3582

Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

Volume Number	Document	Filed By	Date	Bates Stamp Number
12	Opposition to Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order and Countermotion for Order Dismissing Nevada Department of Taxation	State of Nevada/Dept Tax/ Treasurer	07/11/14	2049-2052
17	Opposition to Plaintiff's Motion for Summary Judgment	Nevada Legislature	07/11/14	2942-3071
18	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3072-3292
19	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3292-3512
20	Opposition to Plaintiff's Motion for Summary Judgment (Cont.)	Nevada Legislature	07/11/14	3515-3567
7	Order (Converting Motion to Dismiss to Motion for Summary Judgment, Setting Briefing Schedule and Dismissing Treasurer)	First Judicial District Court	06/06/14	1451-1457
22	Order and Judgment	First Judicial District Court	10/06/14	3948-4000
7	Order Denying City of Fernley's Motion for Reconsideration of Order Dated November 13, 2012	First Judicial District Court	12/17/12	1361-1363
7	Order Granting A Continuance to Complete Discovery	First Judicial District Court	10/15/12	1341-1343
7	Order Granting in Part and Denying in Part Petition for Writ of Mandamus	Nevada Supreme Court	01/25/13	1373-1377
23	Order Granting Nevada Department of Taxation's Motion for Costs	First Judicial District Court	10/15/14	4190-4194
3	Order Granting Nevada Legislature's Motion to Intervene	First Judicial District Court	08/30/12	648-650
7	Order on Defendant's Motion for Extensions of Time to File Answer	First Judicial District Court	11/13/12	1351-1353
7	Order Pursuant to Writ of Mandamus	First Judicial District Court	02/22/13	1390-1392
21	Order Vacating Trial	First Judicial District Court	09/03/14	3773-3775
23	Plaintiff's Motion to Strike, or Alternatively, Motion to Retax Costs	City of Fernley	10/14/14	4178-4189
21	Plaintiff's Objections to Nevada Legislature's Proposed Order and Request to Submit Proposed Order and Judgment	City of Fernley	10/02/14	3846-3862
7	Pretrial Order	First Judicial District Court	10/10/13	1393-1399
7	Reply Concerning Joinder in Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	Nevada Legislature	05/27/14	1438-1450
7	Reply in Support of Joinder in Motion to Dismiss	Nevada Legislature	10/08/12	1317-1340
3	Reply in Support of Motion to Intervene	Nevada Legislature	08/24/12	626-635
21	Reply in Support of Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order as to Defendant Nevada Legislature	City of Fernley	07/25/14	3709-3746



Index to Joint Appendix  
City of Fernley v. State of Nevada et al., Case No. 66851

<b>Volume Number</b>	<b>Document</b>	<b>Filed By</b>	<b>Date</b>	<b>Bates Stamp Number</b>
20	Reply in Support of Plaintiff's Motion for Summary Judgment Against Defendants Nevada Department of Taxation and Nevada Treasurer	City of Fernley	07/25/14	3674-3708
20	Reply in Support of Plaintiff's Motion for Partial Reconsideration and Rehearing of the Court's June 6, 2014 Order as to Defendant's Nevada Department of Taxation and Nevada Treasurer; Plaintiff's Opposition to Countermotion for Order Dismissing Nevada Department of Taxation	City of Fernley	07/25/14	3641-3673
20	Reply in Support of Plaintiff's Motion for Summary Judgment Against Defendant Nevada Legislature	City of Fernley	07/25/14	3606-3640
21	Reply to Opposition to Countermotion for Order Dismissing Nevada Department of Taxation	State of Nevada/Dept Taxation	08/01/14	3769-3772
3	Reply to Opposition to Motion to Dismiss	State of Nevada/Dept Tax/ Treasurer	08/27/12	636-647
20	Reply to Plaintiff's Opposition to Nevada Department of Taxation and Nevada Treasurer's Renewal of Motion to Dismiss	State of Nevada/Dept Taxation	07/25/14	3583-3605
7	Response to Nevada Department of Taxation	City of Fernley	05/16/14	1424-1432
7	Second Stipulation and Order Regarding Change of Briefing Schedule	Parties/First Judicial District Court	03/17/14	1406-1409
7	Stipulation and Order for an Extension of Time to File Responses to Discovery Requests; Extend Certain Discovery Deadlines and Extend Time to File Dispositive Motions	Parties/First Judicial District Court	04/11/14	1410-1413
7	Stipulation and Order Regarding Change of Briefing Schedule and Plaintiff's Response to Defendant's Motion to Strike Plaintiff's Jury Demand	Parties/First Judicial District Court	02/19/14	1403-1405
12	Stipulation and Order Regarding Change of Briefing Schedule and Setting Hearing for Oral Argument	Parties/First Judicial District Court	06/25/14	2046-2048
7	Stipulation and Order Regarding Defendant's Motion to Strike Plaintiff's Jury Demand	Parties/First Judicial District Court	10/23/13	1400-1402
3	Stipulation and Order Regarding Joinder to Motion to Dismiss	Parties/First Judicial District Court	09/18/12	658-661
23	Transcript of Hearing	Court Reporter	01/07/15	4213-4267
7	Writ of Mandamus	Nevada Supreme Court	01/25/13	1371-1372

1 Q Okay. SB-254 was enacted in what year?

2 A I thought it was '97.

3 Q I don't know. I was asking you.

4 A Sorry.

5 Q The Technical Committee went on further from  
6 that point, though, correct?

7 A Yes. We worked on other things, like other  
8 types of taxes and stuff.

9 Q Did you have anything to do with the C-Tax after  
10 it was enacted on the Technical Committee?

11 A I can't recall. I know that just various  
12 legislation, and I think there was some cleanup things,  
13 but just, you know, working at the legislature. I can't  
14 recall.

15 Q And my understanding from looking into this --  
16 and you can correct me if I'm wrong -- is the C-Tax was  
17 enacted to make sure tax dollars were following growth.

18 A New.

19 Q No?

20 A Not C-Tax. New monies coming in, excess monies  
21 coming from. Not the base.

22 Q Okay.

23 A Only the excess. Only the new money coming in  
24 would follow growth.

25 Q Okay. And part of the reason was also to get

1 Q Well, that's what I heard.

2 A No, that's not what I'm saying.

3 Q What are you saying?

4 A I said several times it depends on what services  
5 they are providing. There's dozens and dozens of services  
6 that local governments provide.

7 Q Okay. So does the C-Tax only look at services  
8 provided or services that the city or local government  
9 wants to provide?

10 A The C-Tax doesn't look at where that money is  
11 going.

12 Q Okay.

13 A That's up to the elected official in their  
14 budgets.

15 Q So you don't know -- for example, the state  
16 legislature doesn't require it under C-Tax to look at how  
17 the money is being spent?

18 A That's correct.

19 Q Okay. You said earlier something I wanted to  
20 ask you about. Fernley has a -- and maybe it wasn't an  
21 all-encompassing period of time, but Fernley has a  
22 purposefully low property tax.

23 A Right.

24 Q Is it your understanding today that they still  
25 have that?

AFTERNOON SESSION

BY MR. VELLIS:

Q We took a lunch break and we're back on the record. You understand you're still under oath?

A Yes, I understand.

Q During the lunch break did you have lunch with any of the defense counsel?

A Yes.

Q Which ones?

A Andrea and I went to lunch.

Q Did you discuss your testimony?

A No.

Q Did you discuss the C-Tax?

A No.

Q Did you discuss anything about what's going on today?

A No.

Q Okay.

A Grandchildren.

Q There you go. Good lunch conversation. We were talking about your background and I think I got pretty much up to present. You're also on the Committee for Local Government Finance?

A Correct.

Q What's that?

1 A That's a statutory committee and it is a  
2 committee which has -- I think it's three people  
3 representing school districts, three people representing  
4 cities, three people representing counties, two people  
5 representing the CPAs. I'm one of those representing the  
6 CPAs.

7 Q All right. And when did you first start on that  
8 committee?

9 A It was about, I'd say, 14 years ago.

10 Q So --

11 A '99, maybe.

12 Q 1999 approximately?

13 A Around there.

14 Q And have you been on it continually since that  
15 time?

16 A Yes.

17 Q And do you have a position on it or are you just  
18 a member?

19 A Just a member.

20 Q Okay. And you said your membership was based on  
21 your position as a CPA?

22 A Yes.

23 Q How does that happen?

24 A It's in the statute, who appoints.

25 Q Okay. And what does the Committee for Local

1 A And Lyon County came in in support of the  
2 incorporation along with Fernley and Department of  
3 Taxation.

4 Q Okay. And the incorporation was approved.  
5 Is that correct?

6 A Yes, that's correct.

7 Q I think you told me earlier just last year that  
8 when that bill came up that Fernley wanted \$5 million,  
9 Lyon County was against that, correct?

10 A Yes. And we're on record against it.

11 Q Okay. And just to make sure, then, in that  
12 situation last year when they were asking for the \$5  
13 million, Lyon County was against it and you as their  
14 lobbyist actively sought to deny Fernley the request they  
15 were making?

16 A That's correct. And that has happened in other  
17 cases, too.

18 Q Okay. One of the things I saw when I was  
19 looking at this Committee on Local Government Finance in  
20 the statute is there's a provision that, if a local  
21 government has a three-year period where it declines an  
22 assessed value population, that they can review it to  
23 reduce its C-Tax distribution.

24 Do you know what I'm talking about?

25 A There's a provision as far as whether you are a

1 Q Right. Are they providing some sort of  
2 qualitative thing saying, hey, these numbers look wrong or  
3 is it just here's the numbers?

4 A They provide the numbers based on the statute.

5 Q Right. What I'm asking is qualitatively is  
6 anybody assigned in the Department of Taxation?

7 A Not to my knowledge.

8 Q Okay. How did you first get on the Technical  
9 Committee?

10 A By the CPA, by statute -- oh, are you talking  
11 about the Committee on Local Government Finance or the  
12 Technical Committee.

13 Q Technical Committee. I'm going back now. I'm  
14 switching. When SB -- is it 254 was the original bill  
15 that eventually became the consolidated tax?

16 A Right.

17 Q Okay. There was SCR -- what's SCR 40?

18 A Right.

19 Q What's the SCR?

20 A Oh, it's the Senate Concurrent Resolution.

21 Q Okay. And that establishes the Technical  
22 Committee?

23 A Right.

24 Q How did you get selected to be on that Technical  
25 Committee, if you know?

1 you arrive at eventually the C-Tax proposal that you made  
2 with the objectives and attributes that we just looked at  
3 in Exhibit 5?

4 A The Technical Committee met many, many times  
5 about where the problems were, what some of the solutions  
6 could be, what do we do with growth, how do we funnel it  
7 to growth. And it was basically a lot of sitting around  
8 and just talking through a lot of things about, you know,

9 what needed to occur, how do we fix it to where entities  
10 are able to provide service.

11 Q Okay. So, again, in my shorthand, you were  
12 trying to figure ways to make sure you were getting the  
13 money to the taxpayers that needed the services.

14 A Well, no. Everybody needs services.

15 Q Right.

16 A It's to give money to where areas of growth were  
17 because the demands are greater. And if it is that growth  
18 that is generating those revenues, then we need to funnel  
19 that money back so the services can be provided to that  
20 growth.

21 Q Okay. And how do you determine if the area  
22 that's -- strike that. How do you determine what areas  
23 are generating the revenues? How do you go about doing  
24 that?

25 A The two mechanisms were assessed value and



1 population.

2 Q Okay.

3 A Population growth, assessed value growth.

4 Assessed value is important because it has a commercial  
5 component as well as a population component.

6 Q Okay. And what do you mean by it has a --

7 A Well, we provide services to businesses. We  
8 provide fire and sheriff to businesses.

9 Q Okay.

10 A And so they are part of our tax base that we  
11 have to provide service to.

12 Q Right. But you were saying assessed value has  
13 another component based upon --

14 A Assessed value is assessed value of commercial  
15 properties as well as of residential properties.

16 Q Okay. And does that show you something about  
17 the growth in commercial businesses as opposed to just  
18 population growth?

19 A That's right. That's why you use assessed  
20 value. It's the only factor we had to show commercial  
21 growth.

22 Q Okay. I saw the name of Guy Hobbs. Was  
23 Mr. Hobbs one of the people on the Technical--

24 A Yes, he was?

25 Q How about Mr. Marvin Levitt?

# EXHIBIT 6

# EXHIBIT 6

5-22-97



890

JOURNAL OF THE SENATE

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of this legislative body express their sincere condolences to the family and friends of the late Dr. Joseph D. Wilkin; and be it further

RESOLVED, That the death of such a highly respected doctor is a tremendous loss for Lincoln County and the State of Nevada; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the family members of Dr. Joseph D. Wilkin.

Senator McGinness moved the adoption of the resolution.

Remarks by Senator McGinness.

Senator McGinness requested that his remarks be entered in the Journal.

Thank you, Mr. President pro Tempore. Senate Concurrent Resolution No. 42 speaks for itself. We must recognize that Dr. Wilkin was a local boy. He grew up in Lincoln County. We must recognize the responsibility he felt to his hometown by returning there to practice medicine. At the age of 35, he went to medical school. If all of us think back to where we were at age 35, the thought of going to medical school would put a chill in most of our hearts. Dr. Wilkin did go to medical school, came back and became a "country" doctor. For those of you who know Lincoln County as rather remote, it is really more frontier medicine. For those people who know how much faith is put into a family doctor, you understand how much faith everyone had in Dr. Wilkin. There was a 15-month and another 9-month period where he was the only doctor in the county, not just in the community but in the county. Everyone came to his door, day and night. He delivered 155 babies. There are 155 alumni of Dr. Wilkin out there who are very happy. He showed great dedication to Lincoln County by recognizing that he was the only physician in the community and chose not to take a vacation or go away for weekends. His wife and daughters know exactly what that dedication meant to them as they were growing up. It gives me great pleasure to support Senate Concurrent Resolution No. 42.

Resolution adopted.

Senator McGinness moved that all rules be suspended and that Senate Concurrent Resolution No. 42 be immediately transmitted to the Assembly.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio moved that the Senate resolve itself into a Committee of the Whole for the purpose of considering Senate Bill No. 254, with Senator O'Connell as Chairman of the Committee of the Whole.

Remarks by Senator Raggio.

Motion carried.

IN COMMITTEE OF THE WHOLE

At 10:42 a.m.

Senator O'Connell presiding.

Senate Bill No. 254 considered.

The Committee of the Whole was addressed by Senator O'Connell, Mary Henderson, Washoe County; Guy Hobbs, Fiscal Consultant, Clark County; Marvin Leavitt, City of Las Vegas; Michael Pitlock, Executive Director, Department of Taxation and Mary Walker, City of Carson City.

CoF

10/31

Case No. 6

255

Senator O'Connell requested that all remarks on Senate Bill No. 254 be entered in the Journal.

SENATOR O'CONNELL:

I hope the beginning of this morning isn't an indication as to how this hearing is going to go. When one of the members of our presentation group parked in the garage this morning he was surrounded by military people who would not let him out of the parking garage for the longest time because of the helicopters landing on the legislative grounds. The next thing: when we were going over the presentation, one of our members got an emergency call regarding a bomb threat in one of the court houses. I hope that is not an indication as to how the hearing will continue.

The interim committee on S.C.R. No. 40 (of the 68<sup>th</sup> Session) was established to study the laws relating to the laws relating to the distribution among local governments of revenue from state and local taxes. The objectives set forth for the committee were as follows:

1. The new tax distribution system be revenue neutral for the affected governments in the first year. The objective further assumed constant or current service levels for each entity.
2. The revenue growth in future years be directed to follow the population growth.
3. The new tax distribution should reduce competition and encourage cooperation between the local governments.
4. Both the criteria and the parameters be established for the creation of new units of local government and for the treatment of any new local government/special district in the distribution formulas.

In order to attain these lofty goals, the people to be chosen for the technical committee had to be Nevada's brightest financial minds. The people chosen certainly lived up to our expectations. They are fiscal analysts Mike Alstoy, Clark County School District; Gary Cords, City of Fallon; Marvin Leavitt, City of Las Vegas; Steve Hanson, City of Henderson; Mary Henderson, Washoe County; Terry Thomas, City of Sparks; Mary Walker, City of Carson City as well as Guy Hobbs, fiscal consultant, Clark County and Michael Pitlock, Executive Director, Department of Taxation, State of Nevada. These outstanding people accomplished the task that we set before them in S.C.R. No. 40 (of the 68<sup>th</sup> Session). Five of those analysts are here this morning to explain Senate Bill No. 254. On your desks should be a packet of additional information on the makeup of the committee as well as the information we will cover this morning. If you really need a lift, I recommend reading Bulletin No. 97-5, the Legislative Counsel Bureau's Law Relating to the Distribution Among Local Governments of Revenue from State and Local Taxes.

Let me draw your attention to the fourth page of the handout, the graphs showing the distribution before and after the passage of Senate Bill No. 254. The people making the presentation today are Guy Hobbs, Marvin Leavitt, Mary Walker, Mary Henderson and Michael Pitlock. On the seventh page of the handout, you will find the amendment which will be voted on today. The amendment will be explained along with a section by section discussion of the bill. After our five speakers finish their presentations, we will be happy to address any questions.

MR. GUY HOBBS (Fiscal Consultant, Clark County):

Thank you, Madam Chair and members of the committee. Chairman O'Connell covered many of the reasons why S.C.R. No. 40 (of the 68<sup>th</sup> Session) was initiated. The old system of distribution that we had been using since 1981, since the tax shift, was thought to be no longer effectively serving its purpose. The old system was cumbersome. For example, the six revenues on the chart on page 5 of the packet are distributed according to four different formulas some of which use assessed valuation, some of which use population. In some cases, some cities only receive those revenues. In some cases, counties only receive those revenues. In other cases where there are two or more cities in a county, counties do not share in those revenues. The old system has been thought to have little flexibility. The creation of a new city, town or other

CITY OF FERNLEY

STATE OF NEVADA

Case No. 8

JA 24

CoF 10762

form of entity is something that can create significant conflict. Also, in one of the fastest growing states, this system should be more responsive than it has been in the past. This was generally pointed out during the last legislative session with S.B. No. 556 (of the 68<sup>th</sup> Session), the creation of a new unincorporated town in Clark County, Summerland, and a previously unincorporated town of Spring Valley. There were no mechanisms in the law that would allow for either of those towns to participate in the distribution of the revenues under discussion today. I would draw your attention to page 2 of your packet which outlines the current system as compared to Senate Bill No. 254. In summary, Senate Bill No. 254 is recommending that six local intergovernmental revenues, specifically, the supplemental city-county relief tax, the basic city-county relief tax, the motor vehicle privilege tax, the cigarette tax, the liquor tax and the real property transfer tax, which had previously been apportioned according to several different formulas, be pooled into a common revenue distribution fund at the county level and be distributed among the local governments within a county according to a single formula. The flowchart on page 4 graphically shows the flow of funds for those six revenue sources prior to Senate Bill No. 254 and what they would be if Senate Bill No. 254 is adopted.

The revenues from the previously mentioned tax sources will be pooled at the county level for distribution to local governments under a single formula. The base amount of revenue that each local government will receive will be set at a level that recognizes what it received from any or all of those revenues during the prior two fiscal years, fiscal 1995-96 and fiscal 1996-97 will be used to establish the base distribution amounts for each local government. As Chairman O'Connell indicated, this was done to ensure some stability for the local governments transitioning from the old system to the new system. The revenue distribution would not be such a change that it would create a shock for any of the local governments. For counties, cities, towns and special districts, the amount of money that they will receive beyond the base amount will be increased by the Consumer Price Index (CPI) in all subsequent years. This was included to ensure that those local governments that are not growing as rapidly as others at least receive from year to year a constant dollar amount in terms of purchase power to take care of their basic needs.

To the extent that there is revenue in the common distribution fund at the county level from these six sources, above and beyond that amount which is needed to fund the base plus the CPI from year to year, the excess amount of revenue will be distributed among and between the local governments within a county according to a formula which recognizes percentage change in population from year to year and the percentage change in assessed value from year to year calculated on a five-year moving average. The five-year moving average was recommended by the technical committee to smooth out any effects from reappraisal cycles that occur within a county during the course of a year.

There are several other provisions of the bill that would allow for an alternative sharing of revenue within a county if two or more local governments determine that they wish to share the revenue differently between them than the formula otherwise prescribed. There are methods prescribed that would allow for the creation of a new local government, and the new local government would receive a distribution from the common distribution fund if it meets certain criteria. Some of the disincentives in the past for the merger or consolidation of certain units of local governments have been removed. In a sense, we have created incentives for pursuing rational mergers and consolidations of certain local governmental units. There is also an appeal process whereby if any local government feels the base amount set in the formula does not reflect its needs at the base year. There is a one time opportunity to appeal through the Nevada Tax Commission with the Department of Taxation and the Committee on Local Government Finance also reviewing the request ensuring that the base years are set at a level that would reflect a need.

Section 1 through section 3 of Senate Bill No. 254 contain the definitions and directories.

Section 4 defines enterprise districts as a governmental entity which is not a county, city, town but also receives funding from one of the six revenue sources that would be combined into the common distribution fund. It also indicates that the executive director shall determine which entities are enterprise districts pursuant to Section 12.5 of Senate Bill No. 254.

JA  
CoF

1077  
123

24

# EXHIBIT 7

# EXHIBIT 7

1 IN THE FIRST JUDICIAL DISTRICT COURT  
2 OF THE STATE OF NEVADA, IN AND FOR CARSON CITY

3 --oOo--

4  
5 CITY OF FERNLEY, NEVADA, a  
6 Nevada municipal corporation

7 Plaintiff,

8 vs.

9 STATE OF NEVADA ex rel. THE  
10 NEVADA DEPARTMENT OF TAXATION;  
11 THE HONORABLE KATE MARSHALL,  
12 in her official capacity as  
13 TREASURER OF THE STATE OF NEVADA;  
14 and DOES 1-20, inclusive,

15 Defendants.

16 NEVADA LEGISLATURE,

17 Intervenor.  
18 \_\_\_\_\_/

19 Pages 1 to 90, inclusive.  
20  
21  
22  
23

24 DEPOSITION OF TERRY RUBALD

25 Thursday, December 12, 2013

Carson City, Nevada

26 REPORTED BY:

27 Romona Malnerich  
28 Nevada CCR #269  
29 California CSR #7526

**CERTIFIED COPY**

Case No. 12 OC 00168 1B

Dept. No. 1

Case No. 6685  
JA 2459

1 Q If for any reason I ask you a question that  
2 you don't understand, stop me and have me rephrase the  
3 question until you do understand it. Will you do that?

4 A Yes.

5 Q You have been designated as a person most  
6 knowledgeable on behalf of the Department of Taxation.  
7 Do you understand that?

8 A Yes.

9 Q And that means you're speaking on behalf of  
10 the Department of Taxation, not just for yourself. Okay?

11 A Okay.

12 Q Did you do anything to prepare for your  
13 deposition today?

14 A Yes.

15 Q What did you do?

16 A I reviewed statutes, regulations, the  
17 legislative history for SB 254.

18 Q And what statutes did you review?

19 A NRS 360.740 and NRS 354.598747.

20 Q Anything else that you reviewed or looked at  
21 to prepare?

22 A No.

23 Q Did you read any depositions of anybody else  
24 from this case?

25 A Yes.



1 of auditors who are now conducting the net proceeds of  
2 minerals tax audits. It used to be conducted by the  
3 compliance division of the department, but that has been  
4 now given to my division.

5 Q So when you started in 2000 as the chief of  
6 the Division of Assessment Standards, were the duties the  
7 same as you just outlined for me for that department, or  
8 has it changed since 2000 till today?

9 A There have been additional duties that have  
10 come on over the years.

11 Q But the purpose of the division was to work  
12 with local governments?

13 A Yes.

14 Q And the name of the division now is --

15 A The Division of Local Government Services.  
16 And my title has also changed.

17 Q What's your title now?

18 A I'm a deputy executive director.

19 Q And when did that happen?

20 A That happened in July.

21 Q Of this year?

22 A Of 2013.

23 Q And have your duties as the chief or deputy  
24 executive director changed with the change in the title?

25 A Yes. I'm now involved in more budget work

1 Q And what was the timing issue that you were  
2 involved with?

3 A Well, the way the former law read was that  
4 any agreements amongst jurisdictions would have to be  
5 submitted to the department by December 31st, and the  
6 local governments wanted more time to consider their  
7 options and they wanted to consider it after the revenue  
8 projections come out. So they wanted to change that to a  
9 later time. I believe it was settled at April 1st, with  
10 a notice that they might do this by March 1st, and the  
11 reason that became important was because it involves our  
12 budgeting timeline.

13 Q Okay. And the agreements that you're talking  
14 about, are these the cooperative agreements?

15 A Yes.

16 Q And these are agreements between county  
17 governments and local governments or between local  
18 governments within a county?

19 A Between local governments within a county.

20 Q What about a local government with a county?  
21 Are there cooperative agreements between those as well,  
22 or can there be?

23 A Yes.

24 Q Have you ever seen one?

25 A There's one between White Pine County and the

1 City of Ely.

2 Q And what's that agreement?

3 A I believe all the CTX distribution goes to  
4 the City of Ely, in exchange for all of the property tax  
5 revenue going to the county.

6 Q Any other cooperative agreements that you've  
7 seen or that the department knows about, other than  
8 between cities and counties?

9 A The only other one I know about is one that  
10 occurred in the last few years between Mesquite and other  
11 Clark County entities.

12 Q Okay. What was that?

13 A It was an agreement to redistribute the  
14 excess, I believe.

15 Q How did they redistribute it?

16 A I'm not sure.

17 Q As to the history, what was the history of  
18 SB 254? Do you know what SB 254 was?

19 A Yes, that was the creation of the C-Tax  
20 distribution.

21 Q And did you review the legislative history on  
22 that?

23 A I did.

24 Q What was your understanding of ~~the intent of~~  
25 SB 254?

1           A       The intent was to streamline the  
2 distribution, but at the same time, to keep the actual  
3 distribution neutral, so that no entity would be harmed.  
4 They also wanted to encourage regional cooperation  
5 amongst local governments. They did not want to  
6 encourage competition amongst local governments for the  
7 tax.

8           Q       Anything else?

9           A       That was my understanding of it.

10          Q       Did you read anywhere about the concept of  
11 having revenues follow growth?

12          A       Yes.

13          Q       And what was your understanding of that, from  
14 your investigation?

15          A       My understanding of that was that a portion  
16 of the formula is based on population and assessed value,  
17 with a theory that those are two indicators of growth.

18          Q       And the intent was to make sure that revenues  
19 went towards areas that were growing, because they needed  
20 the services to service the growth.

21          A       Yes.

22                   MS. NICHOLS: Objection. Calls for  
23 speculation.

24                   MR. VELLIS: Well, you're the person most  
25 knowledgeable from the Department of Taxation on the

1 history, and I'm asking you about the history of this  
2 bill.

3 MS. NICHOLS: Actually, you were making a  
4 statement and asking whether or not she agreed with it.  
5 Do you want to read the question back again?

6 MR. VELLIS: It's called a leading question,  
7 and it's allowed since you're the defendant and I'm the  
8 plaintiff.

9 MS. NICHOLS: Actually, I believe that this  
10 is direct exam, and I've given you a lot of leeway.  
11 But do you want to reread the question?

12 MR. VELLIS: No. I think we got the answer.

13 BY MR. VELLIS:

14 Q You understood my question when I asked it?

15 A Yes.

16 Q And you answered it accordingly?

17 A Yes.

18 Q You said that one of the things they wanted  
19 to do was make the disbursement neutral, so that no  
20 entity was harmed. Is that correct?

21 A Yes.

22 Q And what did you mean by that?

23 A They wanted to create a formula for  
24 distribution that was essentially based on the -- I  
25 believe it was the average of the two prior years'

1 distribution.

2 Q And the part about no entity being harmed,  
3 what did you mean by that?

4 A That no entity would lose money in this  
5 redistribution.

6 Q And when you say "entity," you're talking  
7 about entities that existed at the time that the C-Tax  
8 was instituted?

9 A Yes.

10 Q So, basically, they were trying to make sure  
11 there was a maintaining of the status quo?

12 A Yes.

13 Q So, in essence, they were protecting those  
14 entities that were in existence, to make sure that they  
15 got what they had previously gotten. Correct?

16 MS. NICHOLS: Objection. Assumes facts.

17 THE WITNESS: I'm not sure I understand your  
18 word "protecting."

19 BY MR. VELLIS:

20 Q They wanted to make sure they still got the  
21 same amount of money that they had gotten in the two  
22 previous years and that they weren't harmed by the  
23 institution of the new C-Tax.

24 A Yes.

25 Q But as to any new entities entering into the

1 you have the section that does all the budget reviews --  
2 do they look at the budgets to determine whether or not  
3 the services necessary for the particular local  
4 government entity are adequately funded by the budgets  
5 for the cities?

6 A No.

7 Q You don't?

8 A We don't make judgment calls on that. We  
9 look at whether there are sufficient revenues to cover  
10 the expenses that they have identified.

11 Q In relation to the C-Tax, do you ever look --  
12 your department, does it ever look at the different  
13 budgets of the different cities that are similarly  
14 situated -- population wise, assessed value wise -- to  
15 make sure that the C-Tax is being distributed on a fair  
16 basis as to these similarly situated cities or local  
17 governments?

18 A What do you mean by "fair basis"?

19 Q I mean that they're equal or close to equal  
20 in the amounts of distributions that they receive in  
21 C-Tax.

22 A No.

23 Q That's not something you're supposed to do?

24 A Correct.

25 Q So when your people in the budget department

1 look at stuff, they're not looking qualitatively to see  
2 if it looks fair or if the C-Tax that everybody's getting  
3 makes sense or anything of that nature.

4 A That's correct.

5 Q You're just looking at the numbers and making  
6 sure that that local government's got enough money to pay  
7 for whatever it's planning on doing.

8 A Yes.

9 Q And is there anything in the statutes or  
10 anything else that would allow the Department of Taxation  
11 to do that kind of qualitative analysis, to look and say  
12 this doesn't seem right; one city here that's had huge  
13 population growth and huge assessed value growth is not  
14 getting a significant increase in the C-Tax to support  
15 the new services they probably need?

16 A Not in that particular context. There is a  
17 statute that requires us to look at a redistribution of  
18 C-Tax when there is a decline in assessed value and  
19 population.

20 Q And I do want to ask you about that later,  
21 but is there a similar type of statute that allows the  
22 Department of Taxation to make a determination that you  
23 have a local government that is growing significantly in  
24 population, significantly in assessed value, and needs an  
25 increase in their C-Tax distribution?



1 were talking about. One is the cooperative agreement  
2 between White Pine County and Ely. Was there a period of  
3 time where White Pine County was taken over by the  
4 Department of Taxation?

5 A Yes.

6 Q When was that?

7 A 2005 to 2009.

8 Q And when was this cooperative agreement  
9 between White Pine and Ely? Was that during the same  
10 period of time?

11 A Yes. They had done this for years prior to  
12 the takeover and continue to do it to this day.

13 Q Was the cooperative agreement something that  
14 the Department of Taxation worked on for White Pine  
15 County with Ely?

16 A No, it was already in existence. We  
17 participated in meetings during the times that we were  
18 there, to insure that it continued.

19 Q But the actual agreement between Ely and  
20 White Pine preexisted the Department of Taxation taking  
21 over White Pine County?

22 A Yes.

23 Q Are you aware of any local governments  
24 getting any adjustments to their C-Tax distributions  
25 since the time the C-Tax was instituted?

1 A Yes.

2 Q Who?

3 A I believe by law, in the early 2000s, the  
4 City of Henderson received an adjustment of \$4 million.

5 Q Anybody else?

6 A There is somebody else, but I'm trying to  
7 think who it was.

8 Q North Las Vegas?

9 A Maybe that was the four million. I can't  
10 remember now.

11 Q In the Henderson situation, do you know  
12 whether the Department of Taxation made any kind of  
13 recommendation on whether or not Henderson should or  
14 should not receive an increase in their C-Tax  
15 distribution?

16 A I do not know.

17 Q Do you know whether or not, in order to  
18 receive the \$4 million increase in their C-Tax  
19 distribution, Henderson took on any new services that  
20 they had to perform?

21 A I believe -- I do not know.

22 Q And as to any other increases, do you know  
23 whether the Department of Taxation made any  
24 recommendations on any other local government entity that  
25 sought an increase in their C-Tax distribution?

1           A       I'm not aware of any.

2           Q       And the other entity that received an  
3   increase that you can't recall, do you know whether that  
4   entity took on any new services in order to receive the  
5   increase in their C-Tax distribution?

6           A       I don't know.

7           Q       In relation to any kind of service levels  
8   that are performed by local governments, has the  
9   Department of Taxation ever done any studies or  
10   investigations to correlate the service levels with the  
11   C-Tax allocations to particular local governments?

12          A       No.

13          Q       Have they done anything to determine,  
14   investigate, look at, report on whether or not the C-Tax  
15   allocations to a particular local entity are sufficient  
16   for the services that need to be rendered by that local  
17   government entity?

18          A       No.

19          Q       Does the Department of Taxation even review  
20   the service levels that are provided by local government  
21   entities?

22          A       No.

23          Q       You said previously your understanding was  
24   that in order for a new government entity to get an  
25   increase in their C-Tax distribution, they had to take on

1 process is?

2 MS. NICHOLS: Objection. Assumes facts.

3 THE WITNESS: I'm not aware, in the context  
4 of that --

5 BY MR. VELLIS:

6 Q Let me ask you this way: If a governmental  
7 entity wants to ask for an increase in their allocation,  
8 is there a process through the Department of Taxation  
9 that they go through in order to request that?

10 A Yes.

11 Q Tell me what it is.

12 A NRS 354.598747, the process is that if  
13 there's an existing government that takes on the function  
14 of another government, they request the Nevada Tax  
15 Commission, usually through a resolution of the governing  
16 body, and then the executive director considers that  
17 request.

18 Q And the executive director, does he or she  
19 then make a recommendation regarding that request?

20 A Yes, the executive director will. If in fact  
21 there is a function that has been taken over, then  
22 there's a formula that's in that statute.

23 Q And who does that recommendation go to?

24 A Well, under 360.740, it goes to -- but that's  
25 a new entity, and it goes to the Committee on Local

1 Government Finance, but I don't believe the Committee on  
2 Local Government Finance is involved in the Chapter 354  
3 statute. I think it's just approved by the tax  
4 commission.

5 Q And if the tax commission doesn't approve it,  
6 then it's just --

7 A It's dead.

8 Q And you said that in order for the -- is it  
9 the executive director of the Department of Taxation that  
10 does it?

11 A Yes.

12 Q For him or her to do that, then the entity  
13 asking for the increase has to take on a new service from  
14 another government in order to make that request.

15 A Yes.

16 Q And if you have a new entity that wants to  
17 make that request -- a new entity, not an existing  
18 entity -- what is the process for that new entity?

19 A That's under NRS 360.740, and that process  
20 is, again, to make a showing that they are providing  
21 these services -- they have to provide the police service  
22 and two of the three others -- then they go to the  
23 Committee on Local Government Finance and the Committee  
24 on Local Government Finance makes that recommendation.  
25 If they don't make a recommendation, it dies right there.

1 THE WITNESS: There would be money taken  
2 away, but they also wouldn't have to provide that  
3 service. I mean, if a new entity is taking over a  
4 service, we're trying to match the service with the  
5 revenue stream.

6 BY MR. VELLIS:

7 Q But within that county, if a new entity comes  
8 in and decides to take on police power, somebody else in  
9 that county is going to have a reduction in their  
10 allocation.

11 A That's correct.

12 Q And the reason for allowing them to complain  
13 is that, one, either the new service being requested by  
14 the new government is excessive, or two, perhaps they're  
15 losing money as a result of the fact that there's a new  
16 service being provided and allocation to that new entity.

17 MS. NICHOLS: Objection. Assumes facts and  
18 calls for speculation.

19 THE WITNESS: I don't know.

20 BY MR. VELLIS:

21 Q You don't think that's a possibility?

22 A It's a possibility.

23 Q And we covered some of this. When you're  
24 doing the budget reviews that you do, do you determine  
25 what C-Tax money is being spent on?

1 A No.

2 Q Do you know what it can be spent on?

3 A It's my understanding that C-Tax goes into  
4 the pot and mixes in with all of the other revenue  
5 sources.

6 Q So as far as the Department of Taxation  
7 understands it, the C-Tax money is not designated  
8 specifically for one or a group of services.

9 A That's correct.

10 Q So the entity that receives the C-Tax can  
11 spend it in any manner, way, shape, or form they decide.

12 A Correct. It's not a special revenue or  
13 dedicated revenue.

14 Q And does the Department of Taxation do  
15 anything to review the budgets to determine how the C-Tax  
16 is being spent by any particular entities?

17 A No.

18 Q Does the Department of Taxation have any care  
19 or concern as to how the money's being spent?

20 MS. NICHOLS: Objection. It assumes that the  
21 Department has feelings.

22 MR. VELLIS: I will stipulate that the  
23 Department of Taxation probably doesn't have any  
24 feelings, and I'm sure a lot of people would agree with  
25 me, but I don't think we want to get into that.

1 BY MR. VELLIS:

2 Q You understand my question, don't you? Is it  
3 something that is in the direction of the Department of  
4 Taxation to look at and make a determination as to  
5 whether or not C-Tax money is being spent in a certain  
6 manner within a certain local jurisdiction?

7 A No.

8 Q And if they want to spend it on whatever they  
9 want to spend it on, then it's okay with the Department  
10 of Taxation and they're not going to interfere.

11 A Correct.

12 Q Unless they're doing something illegal, or  
13 even then, maybe not.

14 A When you say illegal, what we're looking for  
15 is compliance with the Local Government Budget and  
16 Finance Act.

17 Q And in that particular case, in reviewing the  
18 budgets, if you -- "you" being the Department of  
19 Taxation -- spot something that's an infraction of that  
20 act, then what do you do?

21 A Then we notify the local government after  
22 they've submitted their tentative budget, and we note the  
23 lack of compliance with whatever it is and ask for the  
24 budget to be corrected.

25 Q So you have -- at least in relation to that



1 statute, you have some oversight responsibilities in  
2 relation to budgets of local governments.

3 A Yes.

4 Q But as to the C-Tax and how that's working,  
5 you don't have any oversight responsibilities to make  
6 sure that it's working correctly.

7 A Correct.

8 Q We were talking before about -- when you look  
9 at the budgets, the Department of Taxation is concerned  
10 with making sure that the local governments live within  
11 their budgetary constraints. Correct?

12 A Yes.

13 Q In doing that, do you look at a particular  
14 local government to determine that there's enough money  
15 for the service needs of that county or local government?

16 A No.

17 Q So all you're worried about is, whatever  
18 they're doing, do they have enough money?

19 A Yes.

20 Q So if they're not providing enough services  
21 or if the services are inadequate within the county, does  
22 the Department of Taxation do anything about that?

23 A No.

24 Q We talked earlier about trying to get an  
25 increase and there's not a particular statute, but there

1 is a statute to decrease. Correct?

2 A Yes.

3 Q What's your understanding of that statute?

4 A My understanding is that if a local  
5 government, for three years in a row, has a decline in  
6 assessed value, in population, that the executive  
7 director will consider redistributing the C-Tax.

8 Q And how would you go about doing that? How  
9 would the executive director go about doing that?

10 A I believe it's formula-based, and I really  
11 can't speak to that.

12 Q And has the executive director, since the  
13 inception of the C-Tax up until today, ever made any such  
14 recommendation for a decrease?

15 A I recall about a decade ago that -- after the  
16 statute, of course -- that there may have been some local  
17 governments that might have met that criteria, but I  
18 believe the Department declined to make the change.

19 Q Does the Department just unilaterally make  
20 the change, or does it make a recommendation and then the  
21 change is made somewhere else?

22 A Well, I believe it goes to the tax  
23 commission.

24 Q And in this situation approximately 10 years  
25 ago, do you know why the Department of Taxation declined

1 to make a recommendation --

2 A I don't recall.

3 Q Do you know if they've done anything recently  
4 to look at any local government to see if a decrease in  
5 allocation would be required?

6 A I believe that the Department, in the  
7 statistics section, routinely looks at those figures.

8 Q And do you know if they've made any such  
9 recommendations in the last five years?

10 A I'm not aware of any recommendations.

11 Q Who makes the decision as to whether or not  
12 they're going to make a recommendation for a decrease?

13 A I believe the executive director.

14 Q And who's the executive director now?

15 A Chris Nielson.

16 Q How long has he been the executive director?

17 A About a year and a half, two years.

18 Q Who was it before that?

19 A Before that, it was Bill Chisel.

20 Q And how long was he the executive director?

21 A About six months.

22 Q Just only six months?

23 A Six to nine months.

24 Q And who was it before that?

25 A Before that, it was Dino DiCianno.

1           A       Probably Marian Henderson and the executive  
2 director.

3           Q       And the same situation exists in Boulder  
4 City. So if I asked you the same questions, why you've  
5 had increases in C-Tax revenues --

6           A       I don't know.

7           Q       -- when you've had three years of assessed  
8 value loss and population loss, that's not something you  
9 could testify to on behalf of the Department of Taxation?

10          A       That's correct.

11                 MS. NICHOLS: Can you clarify, when you're  
12 saying "that's correct," that that's not something you  
13 could testify to?

14                 THE WITNESS: That's not something I could  
15 testify to.

16 BY MR. VELLIS:

17          Q       In your position, are you aware of what taxes  
18 local governments use to finance their services?

19          A       Yes.

20          Q       What are the sources of financing the  
21 services for a local government?

22          A       Property tax and the C-Tax are the two major  
23 sources.

24          Q       Anything else?

25          A       In the nature of taxes, those are the two

1 primary ones. There are, of course, fines and  
2 forfeitures, there are transfers in, there are payments  
3 from the federal government and the State, but for taxes,  
4 the two major ones are property tax and C-Tax.

5 I'm sorry. There are also distributions from  
6 the net proceeds tax, depending on the county.

7 Q And is there a limitation on the property tax  
8 rate in the state?

9 A Yes.

10 Q And what is that?

11 A Well, constitutionally, it's no greater than  
12 \$5 per hundred dollars of valuation, but statutorily  
13 that's reduced to \$3.64, plus two cents in an override.

14 Q And do you know what Fernley's tax rate is?

15 A I'm sorry, I don't. But you can find it  
16 online in the Red Book.

17 Q And what's the Red Book?

18 A The Red Book is a euphemism for the local  
19 government tax rates. It's a publication from our  
20 department that shows all of the tax rates of all the  
21 local governments.

22 Q Since the two major sources of funding for  
23 local governments are the property tax and the C-Tax,  
24 would the Department have any concern regarding an entity  
25 that has grown for 10 years at a rate of 126 percent in

1 population and over a hundred percent in assessed value,  
2 whose C-Tax is now \$170,000?

3 A No.

4 Q Why not?

5 A Because, as we discussed before, we're in the  
6 business of administration of the tax and we insure that  
7 it's collected properly and distributed according to  
8 statute.

9 Q Are you concerned at all, as the Department  
10 of Taxation, that the taxpayers in the city of Fernley  
11 are perhaps not getting their fair share of the tax  
12 dollars that they're spending in relation to the C-Tax?

13 A Once again, we're concerned with the  
14 administration of those taxes.

15 Q So whether or not the taxpayers are receiving  
16 a sufficient return on their tax dollars is not the  
17 concern of the tax department?

18 A That's correct.

19 Q And if the service levels that the City of  
20 Fernley receives is millions of dollars less than other  
21 cities with similar populations, then that doesn't  
22 concern the Department of Taxation either?

23 A That is not one of our duties.

24 Q Who is concerned? Do you have any  
25 understanding?

1           A       My belief is that those concerns should be  
2 given to the Legislature.

3           Q       And if the Legislature refuses to act, then  
4 the taxpayers of the city of Fernley is just where they  
5 are.

6           A       The city has to live within its means.

7           Q       So even though the C-Tax's stated goal is to  
8 have revenues follow growth, if Fernley grows in assessed  
9 values in the last 10 years of over a hundred percent and  
10 its population has grown by over a hundred percent in  
11 that same ten-year period and they receive an increase of  
12 only \$79,000 in C-Tax, while a similar city with a  
13 population of about the same and assessed values about  
14 the same, but only grows by 57 people over a ten-year  
15 period and gets an increase of \$1.6 million, that's okay  
16 with the Department of Taxation in relation to the  
17 taxpayers of the city of Fernley?

18                   MS. NICHOLS: Object to the form of the  
19 question.

20                   THE WITNESS: The Department has no opinion  
21 on that. We're only concerned with the proper  
22 administration of the tax.

23 BY MR. VELLIS:

24           Q       Is the Department of Taxation not concerned  
25 at all with the taxpayers that pays the taxes?

1           A       The Department is concerned that the taxes  
2 are properly administered.

3           Q       And as to the actual welfare of the taxpayers  
4 that pay the taxes, that's not part of your concern?

5           MS. NICHOLS: Objection to the form of the  
6 question, asked and answered. It's also argumentative.

7                   But you can answer, if you know.

8           THE WITNESS: The Department is very  
9 concerned that the taxes are properly administered.

10 BY MR. VELLIS:

11          Q       But whether or not taxpayers that pay into  
12 the system are receiving the benefit and the services  
13 that they should get from those taxes, that's not  
14 something that the Department concerns itself with?

15          A       We rely on the Legislature to determine those  
16 questions.

17          Q       The Department of Taxation testifies before  
18 the Legislature, doesn't it?

19          A       Yes.

20          Q       In fact, you told me earlier that's one of  
21 the things you do now, is you testify. Correct?

22          A       Yes.

23          Q       And if you, as the Department of Taxation,  
24 saw a situation that seemed to have an unfair balance as  
25 to where the tax dollars were going regarding services,



# EXHIBIT 8

# EXHIBIT 8

Joshua J. Hicks, Nevada Bar No. 6679  
Clark V. Vellis, Nevada Bar No. 5533  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
50 West Liberty Street, Suite 1030  
Reno, Nevada 89501  
Telephone: 775-622-9450  
Facsimile: 775-622-9554  
Email: jhicks@bhfs.com  
Email: cvellis@bhfs.com

Brandi L. Jensen, Nevada Bar No. 8509  
Fernley City Attorney  
OFFICE OF THE CITY ATTORNEY  
595 Silver Lace Blvd.  
Fernley, Nevada 89408

*Attorneys for the City of Fernley, Nevada*

**IN THE FIRST JUDICIAL DISTRICT COURT  
OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

CITY OF FERNLEY, NEVADA, a  
Nevada municipal corporation,

Plaintiff,

v.

STATE OF NEVADA ex rel. THE NEVADA  
DEPARTMENT OF TAXATION; THE  
HONORABLE KATE MARSHALL, in her  
official capacity as TREASURER OF THE  
STATE OF NEVADA; and DOES 1-20,  
inclusive,

Defendants,

NEVADA LEGISLATURE,

Intervenor.

Case No.: 12 OC 00168 1B

Dept. No.: I

**NOTICE OF DEPOSITION OF THE PERSON MOST KNOWLEDGEABLE OF  
THE NEVADA DEPARTMENT OF TAXATION**

**TO: The Person Most Knowledgeable of the Nevada Department of Taxation;  
and,**

**TO: Andrea Nichols, Esq., of the Office of the Attorney General, Attorney for  
Defendant Nevada Department of Taxation.**

///

1 PLEASE TAKE NOTICE that at 9:30 a.m. on Monday, November 4, 2013, at the law  
2 offices of Smith & Harmer, Ltd., 502 North Division Street, Carson City, Nevada 89703,  
3 Plaintiff City of Fernley, Nevada will take the oral deposition of the Person Most  
4 Knowledgeable of the Nevada Department of Taxation regarding the subject(s) set forth below,  
5 upon oral examination, pursuant to Rule 26 and Rule 30 of the Nevada Rules of Civil  
6 Procedure, before a Notary Public or before some other officer authorized by the law to  
7 administer oaths.

8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 **SUBJECT MATTER: See Attachment "A".**

11 DATED this 14<sup>th</sup> day of October, 2013.

12 BROWNSTEIN HYATT FARBER SCHRECK, LLP

13  
14 By: 

15 Joshua J. Hicks, Nevada Bar No. 6679  
16 Clark V. Vellis, Nevada Bar No. 5533  
17 50 West Liberty Street, Suite 1030  
18 Reno, Nevada 89501  
19 Telephone: 775-622-9450

20 *Attorneys for the City of Fernley, Nevada*

**ATTACHMENT "A"**  
**to the Notice of Deposition of the PMK for the Department of Taxation**

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation, Plaintiff,

v.

STATE OF NEVADA ex rel. THE NEVADA DEPARTMENT OF TAXATION; THE HONORABLE  
KATE MARSHALL, in her official capacity as TREASURER OF THE STATE OF NEVADA; and  
DOES 1-20, inclusive, Defendants,  
NEVADA LEGISLATURE, Intervenor

Case No.: 12 OC 00168 1B

Dept. No.: I

**SUBJECT MATTER:**

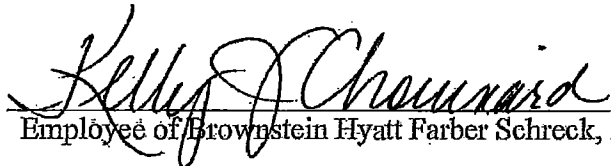
1. The local government tax distribution account or C-Tax system and the collection and distribution of taxes created pursuant to and defined by NRS 360.660.
2. The relationship between C-Tax distributions and local government service levels including any studies or investigations conducted into the relationship between C-Tax distribution of local government service levels by the State Legislature, the sufficiency of any distributions for any service level requirements by local governments, review of service levels in relation to C-Tax distributions made by the State Legislature and/or the relationship between spending levels on public safety and receipt of distributions of C-Tax revenues.
3. Relationship between C-Tax distributions and government services provided by C-Tax recipients.
4. Any adjustment or request for adjustment to the C-Tax distribution of a C-Tax recipient and the basis for any such decisions.
5. The method of obtaining an adjustment by a C-Tax recipient.
6. The use of C-Tax distributions for particular services by any C-Tax recipient.
7. The criteria utilized to set, and the continual setting of, allocations of C-Tax distributions to C-Tax recipients.
8. History of enactment and enforcement of C-Tax and SB 254.
9. Legislative oversight of C-Tax since its enactment.
10. Application and implementation of C-Tax since its enactment.
11. Any and all cooperative agreements between C-Tax recipients since the enactment of said C-Tax.
12. Review and analysis of local government budgets in relation to distributions to C-Tax recipients since enactment of the C-Tax.
13. Your Answer to Plaintiff's Complaint and the factual basis of your affirmative defenses 1-14.
14. Any and all communications between you and the City of Fernley Incorporation Committee.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and that on this 14th of October, 2013, I caused to be served via electronic mail and U.S. Mail, a true and correct copy of the above foregoing **Notice of Deposition of the Person Most Knowledgeable of the Nevada Department of Taxation** properly addressed to the following:

Andrea Nichols, Esq.;  
5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511  
anichols@ag.nv.gov

Brenda J. Erdoes, Esq.  
Kevin Powers, Esq.  
kpowers@lcb.state.nv.us  
J. Daniel Yu, Esq.  
dan.yu@lcb.state.nv.us  
Legislative Counsel Bureau  
401 South Carson Street  
Carson City, Nevada 89701

  
Employee of Brownstein Hyatt Farber Schreck, LLP

# EXHIBIT 9

# EXHIBIT 9

Joshua J. Hicks, Nevada Bar No. 6679  
Clark V. Vellis, Nevada Bar No. 5533  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
50 West Liberty Street, Suite 1030  
Reno, Nevada 89501  
Telephone: 775-622-9450  
Facsimile: 775-622-9554  
Email: jhicks@bhfs.com  
Email: cvellis@bhfs.com

Brandi L. Jensen, Nevada Bar No. 8509  
Fernley City Attorney  
OFFICE OF THE CITY ATTORNEY  
595 Silver Lace Blvd.  
Fernley, Nevada 89408

*Attorneys for the City of Fernley, Nevada*

**IN THE FIRST JUDICIAL DISTRICT COURT**

**OF THE STATE OF NEVADA IN AND FOR CARSON CITY**

CITY OF FERNLEY, NEVADA, a  
Nevada municipal corporation,

Plaintiff,

v.

STATE OF NEVADA ex rel. THE NEVADA  
DEPARTMENT OF TAXATION; THE  
HONORABLE KATE MARSHALL, in her  
official capacity as TREASURER OF THE  
STATE OF NEVADA; and DOES 1-20,  
inclusive,

Defendants,

NEVADA LEGISLATURE,

Intervenor.

Case No.: 12 OC 00168 1B

Dept. No.: I

**AMENDED NOTICE OF DEPOSITION OF THE PERSON MOST  
KNOWLEDGEABLE OF THE NEVADA DEPARTMENT OF TAXATION**

**TO: The Person Most Knowledgeable of the Nevada Department of Taxation;  
and,**

**TO: Andrea Nichols, Esq., of the Office of the Attorney General, Attorney for  
Defendant Nevada Department of Taxation.**

///

1 PLEASE TAKE NOTICE that at 9:30 a.m. on Wednesday, November 13, 2013, at the  
2 law offices of Smith & Harmer, Ltd., 502 North Division Street, Carson City, Nevada 89703,  
3 Plaintiff City of Fernley, Nevada will take the oral deposition of the Person Most  
4 Knowledgeable of the Nevada Department of Taxation regarding the subject(s) set forth below,  
5 upon oral examination, pursuant to Rule 26 and Rule 30 of the Nevada Rules of Civil  
6 Procedure, before a Notary Public or before some other officer authorized by the law to  
7 administer oaths.

8 Oral examination will continue from day to day until completed. You are invited to  
9 attend and cross-examine.

10 **SUBJECT MATTER: See Attachment "A".**

11 DATED this 18<sup>th</sup> day of October, 2013.

12 BROWNSTEIN HYATT FARBER SCHRECK, LLP

13  
14 By: 

15 Joshua J. Hicks, Nevada Bar No. 6679  
16 Clark V. Vellis, Nevada Bar No. 5533  
17 50 West Liberty Street, Suite 1030  
18 Reno, Nevada 89501  
19 Telephone: 775-622-9450

20 *Attorneys for the City of Fernley, Nevada*  
21  
22  
23  
24  
25  
26  
27  
28




**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and that on this 22<sup>nd</sup> day of October, 2013, I caused to be served via electronic mail and U.S. Mail, a true and correct copy of the above foregoing **Amended Notice of Deposition of the Person Most Knowledgeable of the Nevada Department of Taxation** properly addressed to the following:

Andrea Nichols, Esq.,  
5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511  
anichols@ag.nv.gov

Brenda J. Erdős, Esq.  
Kevin Powers, Esq.  
kpowers@lcb.state.nv.us  
J. Daniel Yu, Esq.  
dan.yu@lcb.state.nv.us  
Legislative Counsel Bureau  
401 South Carson Street  
Carson City, Nevada 89701

  
Employee of Brownstein Hyatt Farber Schreck, LLP

**ATTACHMENT "A"**  
**to the Amended Notice of Deposition of the PMK for the Department of Taxation**

CITY OF FERNLEY, NEVADA, a Nevada municipal corporation, Plaintiff,  
v.  
STATE OF NEVADA ex rel. THE NEVADA DEPARTMENT OF TAXATION; THE HONORABLE  
KATE MARSHALL, in her official capacity as TREASURER OF THE STATE OF NEVADA; and  
DOES 1-20, inclusive, Defendants,  
NEVADA LEGISLATURE, Intervenor

Case No.: 12 OC 00168 1B  
Dept. No.: I

**SUBJECT MATTER:**

1. The local government tax distribution account or C-Tax system and the collection and distribution of taxes created pursuant to and defined by NRS 360:660.
2. The relationship between C-Tax distributions and local government service levels including any studies or investigations conducted into the relationship between C-Tax distribution of local government service levels by the State Legislature, the sufficiency of any distributions for any service level requirements by local governments, review of service levels in relation to C-Tax distributions made by the State Legislature and/or the relationship between spending levels on public safety and receipt of distributions of C-Tax revenues.
3. Relationship between C-Tax distributions and government services provided by C-Tax recipients.
4. Any adjustment or request for adjustment to the C-Tax distribution of a C-Tax recipient and the basis for any such decisions.
5. The method of obtaining an adjustment by a C-Tax recipient.
6. The use of C-Tax distributions for particular services by any C-Tax recipient.
7. The criteria utilized to set, and the continual setting of, allocations of C-Tax distributions to C-Tax recipients.
8. History of enactment and enforcement of C-Tax and SB 254.
9. Legislative oversight of C-Tax since its enactment.
10. Application and implementation of C-Tax since its enactment.
11. Any and all cooperative agreements between C-Tax recipients since the enactment of said C-Tax.
12. Review and analysis of local government budgets in relation to distributions to C-Tax recipients since enactment of the C-Tax.
13. Your Answer to Plaintiff's Complaint and the factual basis of your affirmative defenses 1-14.
14. Any and all communications between you and the City of Fernley Incorporation Committee.

# EXHIBIT 10

# EXHIBIT 10



STATE OF NEVADA  
OFFICE OF THE ATTORNEY GENERAL

5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511

CATHERINE CORTEZ MASTO  
*Attorney General*

KEITH G. MUNRO  
*Assistant Attorney General*

GREGORY M. SMITH  
*Chief of Staff*

November 14, 2013

Joshua Hicks, Esq.  
Clark Vellis, Esq.  
Brownstein Hyatt Farber Schreck, LLP  
50 W. Liberty Street, Suite 1030  
Reno, NV 89501

Via e-mail: [jhicks@bhfs.com](mailto:jhicks@bhfs.com)  
and [cvellis@bhfs.com](mailto:cvellis@bhfs.com)

Re: *City of Fernley v. State of Nevada*, Case No. 12 OC 00168 1B

Gentlemen:

I assumed in error that Marian Henderson would be the person most knowledgeable on all of the subject matter listed on Attachment "A" to the Amended Notice of Deposition of the Person Most Knowledgeable of the Nevada Department of Taxation. Please be advised that Terry Rubald is the person most knowledgeable for the subject matter that Ms. Henderson did not respond to with respect to the topics designated under 2, 5, 6 and 8, and Warner Ambrose is the person most knowledgeable for the subject matter that Ms. Henderson did not respond to with respect to the topics designated under 11, 12 and 14. Ms. Rubald is available for deposition on December 2, 3, 4, 9, 11 or 12. Mr. Ambrose is also available on those dates, with the exception of the morning of December 9.

Also please be advised that the majority of the subject matter listed in Attachment "A" to the Amended Notice of Deposition of the Treasurer of the State of Nevada is not within the scope of work performed by the Treasurer's Office. For this reason, I expect the deposition of the Person Most Knowledgeable from the Treasurer's Office will be quite brief.

In an effort to save time and expense, I did check to see if Mr. Ambrose and Ms. Rubald would be available tomorrow for deposition after you deposed the Person Most Knowledgeable of the Treasurer's Office. Unfortunately, both of them have conflicts. We would be amenable to attempting to reschedule the deposition of the Person Most Knowledgeable of the Treasurer's Office to the same date as the continued deposition

Joshua Hicks, Esq.  
Clark Vellis, Esq.  
November 14, 2013  
Page 2

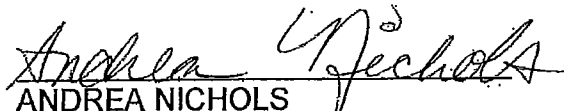
of the Person Most Knowledgeable of the Nevada Department of Taxation. Please let me know whether this would work for you.

Thank you in advance for your continued courtesy and cooperation.

Sincerely,

CATHERINE CORTEZ MASTO  
Attorney General

By:



ANDREA NICHOLS  
Senior Deputy Attorney General  
5420 Kietzke Lane, Suite 202  
Reno, Nevada 89511  
(775) 688-1818

AHN:rlc

c: Kevin Powers (via email: [kpowers@lcb.state.nv.us](mailto:kpowers@lcb.state.nv.us))  
Dan Yu (via email: [dan.yu@lcb.state.nv.us](mailto:dan.yu@lcb.state.nv.us))

# EXHIBIT 11

# EXHIBIT 11

1 IN THE FIRST JUDICIAL DISTRICT COURT  
2 OF THE STATE OF NEVADA, IN AND FOR CARSON CITY

3 --oOo--

4  
5 CITY OF FERNLEY, NEVADA, a  
6 Nevada municipal corporation

7 Plaintiff,

8 vs.

9 STATE OF NEVADA ex rel. THE  
10 NEVADA DEPARTMENT OF TAXATION;  
11 THE HONORABLE KATE MARSHALL,  
12 in her official capacity as  
13 TREASURER OF THE STATE OF NEVADA;  
14 and DOES 1-20, inclusive,

15 Defendants.

16 NEVADA LEGISLATURE,

17 Intervenor.  
18 \_\_\_\_\_/

19 Pages 1 to 67, inclusive.  
20  
21  
22  
23

24 DEPOSITION OF WARNER AMBROSE

25 Thursday, December 12, 2013

Carson City, Nevada

26 REPORTED BY:

Romona Malnerich  
Nevada CCR #269  
California CSR #7526

**CERTIFIED COPY**

Case No. 12 OC 00168 1B

Dept. No. 1

Case No. 66851

JA 2499

1 said, "If somebody's going by the employment security  
2 agency, see if there's any state jobs." This is the only  
3 place I heard from. They sent me the app.

4 Q And what was the first job you had with the  
5 State of Nevada?

6 A I was a sales tax auditor.

7 Q And that was with the Department of Taxation?

8 A Yes, sir.

9 Q What did a sales tax auditor do back in 1988?

10 A It was pretty much the same as one does now.  
11 We're provided with a list of -- well, the criteria has  
12 changed, but at the time, I was provided a list by my  
13 supervisor of companies that needed to be audited for  
14 compliance with the sales and use tax laws. So, from  
15 that list, it was up to me to make the appointments, do  
16 the work, prepare a report, and then submit it. If the  
17 company owed the State any money, then at that time --  
18 when I first started, the report was submitted to Carson  
19 City and then a bill was sent to the taxpayer.

20 Q And how long did you do that for?

21 A Until October 1995.

22 Q And in 1995, how did your job situation  
23 change?

24 A I transferred from the audit division to  
25 where I am now, local government finance.