

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

IN THE MATTER OF THE REMAND)
FOR FURTHER PROCEEDINGS ON)
APPLICATIONS 33697, 35026)
AND 35027)

PRE-HEARING ORDER

On March 19, 1980, the First Judicial District Court in Case No. A-41166 ordered the matter remanded to the State Engineer for further proceedings on the issues of abandonment and forfeiture of Carson City's certificated water rights.

A hearing will be scheduled subsequent to the completion by the affected parties of the matters listed below. The scope of the hearing will include such other ground water rights in the Eagle Valley Ground Water Basin as may be placed in issue in accordance with the provisions of this order, and will include other matters relevant to the statutory criteria for approval or denial of applications.

Any applicant applying for water which is presently subject to an existing right but which is contended to be available for appropriation by virtue of the existing right having been abandoned or forfeited in whole or in part must, in writing, identify the right, the owner of record, the quantities alleged to have been abandoned or forfeited, and the dates during which the quantities are alleged to have been continuously not used; and specify in outline form the evidence to be offered at the hearing to prove the quantities and dates. If testimony will be offered, state the name, address and phone number of the witness. If documents, photographs, prepared exhibits, or items other than testimony are to be offered, state the location and custodian of the items and how they may be examined by other parties or the State Engineer prior to the hearing.

Any protestant or other person contending that abandonment or forfeiture has occurred of any certificated ground water right in the Eagle Valley Basin must comply with this order in the same manner as outlined above for an applicant.

Within 90 days of this order or within such time as may be extended by the State Engineer, all parties must:

1. File a copy of their respective outlines with the State Engineer.
2. Supply a copy upon request to affected persons who make such requests in writing.