

ORIGINAL

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES
BEFORE KELVIN HICKENBOTTOM, HEARING OFFICER,

#5131

IN RE:

29065, 29066, 29067, 31208,
40892, 40893 AND 40894.

TRANSCRIPT OF PROCEEDINGS
PUBLIC HEARING
WEDNESDAY, MARCH 20, 2002
CARSON CITY, NEVADA

APPEARANCES:

For the Applicant:

MICHAEL F. MAESTRI
San Jose, California
WALTER LEBERSKI
Paralegal
Elko, Nevada

Reported by:

CAPITOL REPORTERS
Certified Shorthand Reporters
BY: MARY E. CAMERON, CCR, RPR
Nevada CCR #98
410 East John Street, Ste. A
Carson City, Nevada 89706
(775) 882-5322

1 haven't seen anything in writing, but he did phone.

2 MR. LEBERSKI: And those affidavits is what I
3 tried to submit for the written record for your information
4 to show that the status of ownership of those the parties
5 understood.

6 HEARING OFFICER HICKENBOTTOM: As long as it's
7 still being worked on, that's okay. Again, we're not going
8 to take any action because it's still in the process of
9 getting a few pieces of paper to straighten everything out.

10 So just for the record, I'm going to enter in
11 Exhibits 16, 17 and 18 which were submitted by the
12 Petitioner, and again, sort of the ruling of the State
13 Engineer is going to be that either proof of beneficial use
14 or an extension of time will need to be filed by November
15 29th.

16 That gives you this part of the irrigation season
17 at least to get water down and something growing on a
18 portion of it. Unless you have an objection to that, I
19 think we can close the hearing. Does that sound reasonable?

20 MR. MAESTRI: I don't know if I can get water on
21 the new Bergendahl part.

22 HEARING OFFICER HICKENBOTTOM: I understand that,
23 but you said you were going to try to prove up on 40894.

24 MR. MAESTRI: Absolutely, yes, sir.

25 HEARING OFFICER HICKENBOTTOM: And like I said, if

STATE OF NEVADA,)
) ss.
CARSON CITY.)

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I, MARY E. CAMERON, Official Court Reporter for the State of Nevada, Department of Conservation and Natural Resources, Division of Water Resources, do hereby certify:

That on Wednesday, the 20th day of March, 2002, I was present at 123 West Nye Lane, Room 217, Carson City, Nevada, for the purpose of reporting in verbatim stenotype notes the within-entitled public hearing;

That the foregoing transcript, consisting of pages 1 through 25, inclusive, includes a full, true and correct transcription of my stenotype notes of said public hearing.

Dated at Carson City, Nevada, this 25th day of March, 2002.


MARY E. CAMERON, CCR, RPR
Nevada CCR #98

NRS 533.395(2) PETITION HEARING

PERMIT NO.: 29065, 29066, 29067, 31208, 40892, 40893 & 40894

OWNER OF RECORD: Paul and Patricia Knoop, Patrick and Linda Dempsey –
Unionville Land & Cattle Co., Ltd.

OWNER AT HEARING: Michael F. Maestri

HEARING TIME: 10:00am

HEARING DATE: MARCH 20, 2002

HEARING PLACE: DWR CARSON CITY

REPORTED BY: CERTIFIED COURT REPORTER

APPEARANCES MICHAEL F. MAESTRI
(Petitioner): WALTER LEBERSKI, PARALEGAL

Division of
Water Resources: KELVIN HICKENBOTTOM

NEW PRIORITY DATE: MAY 14, 2001

NEW PROOF DATE: MAR 20

ACTION TAKEN: RULED AT HEARING.
APPLICATION FOR EXTENSION OF TIME SUBMITTED AT
HEARING, RECOMMEND APPROVAL, CANCELLATION
RESCINDED.