

HEARING # 3851
ORIGINAL

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STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES
R. MICHAEL TURNIPSEED, Hearing Officer

IN THE MATTER OF:

Permit 55534

TRANSCRIPT OF PROCEEDINGS
PREHEARING CONFERENCE
Friday, November 8, 1991
Carson City, Nevada

REPORTED BY:

MICHEL DOTY LOOMIS, CSR #228

1 and some of the segments may involve both the existing septic
2 systems and --

3 MR. COLLINS: I see personally a sort of a matrix
4 identifying these formulas and criteria that are going to be
5 applied to meet the applied is maintain that quantity and
6 quality, and we're going to have various combinations of
7 sources of water, what's currently going to be done as
8 Mr. Ricci's pointed out. And we've got service areas on
9 septic tanks.

10 MR. FLANGAS: Yeah, we do plan to phase it and
11 again, the condition being a continuing notice for each of
12 our phases is what we anticipate.

13 THE HEARING OFFICER: Okay.

14 MR. FLANGAS: I don't think we could sit down, I
15 don't think anybody contemplates and before we know, we're
16 going to come up with a plan that's going to work for the
17 next 15, 20 years as far as notice and participation in a
18 forum. I think that's, that's fine.

19 THE HEARING OFFICER: Okay. Then shall we expect
20 then either a stipulation or an -- it doesn't have to be that
21 formal, it could just be a list of acceptable conditions to
22 the primary permit by when, say, Thanksgiving week, end of
23 the month?

24 MR. FLANGAS: Sure.

25 THE HEARING OFFICER: Is that acceptable?

1 MR. FLANGAS: Yeah, that would be fine.

2 THE HEARING OFFICER: Somewhere in that
3 neighborhood?

4 MR. PELCYGER: Let's say end of November.

5 MR. FLANGAS: End of November.

6 THE HEARING OFFICER: That will be fine.

7 Okay, with that then, I guess this hearing will be
8 closed.

9 MR. FLANGAS: Before you go off the record, may I
10 ask one thing that we may have to resolve and you may do it
11 after the stipulation, but since the primary application was
12 a noticed hearing, I don't want to violate anything by
13 closing something with a stipulation that wasn't at the time
14 and place set for a hearing. In other words, notice went out
15 on this it was not going to be a hearing, it was going to be
16 a preconference hearing, and I wouldn't want to create a
17 glitch because we didn't have a date set for the hearing. I
18 don't know.

19 I'm asking your procedure here, because I don't
20 know. Do you have to publish anything, Larry, that you know
21 of?

22 MR. REYNOLDS: No, we can just issue an order
23 cancelling the hearing or a notice.

24 MR. FLANGAS: If the protest has been effectively
25 withdrawn.

1 MR. REYNOLDS: I hope when you present the
2 stipulations, whatever they're going to be, the protest be
3 withdrawn upon acceptance of those conditions. Then we'd
4 issue the notice the protest has been withdrawn and the
5 hearing cancelled.

6 MR. FLANGAS: Okay. That's all I wanted to make
7 certain.

8 MR. PELCYGER: I notice on both your notices in
9 addition to --

10 MR. REYNOLDS: It was just continued. We continued
11 the hearing and set the prehearing.

12 MR. PELCYGER: Right, and I notice there were the
13 primary addressees, but there was a large number of other --

14 MR. REYNOLDS: Most of those copies, Bob, are
15 people that want to be noticed of all our hearings.

16 MR. PELCYGER: I see.

17 MR. REYNOLDS: They're people that you don't notice
18 there's a great number of them here today.

19 MR. PELCYGER: So, they don't have any particular
20 interest as far as you know?

21 MR. REYNOLDS: Not that I know. People that want
22 to be noticed of all of them and I don't know why, because
23 they've never shown up at any of the hearings.

24 MR. FLANGAS: Do we -- do they at least pay you for
25 the coping costs of having to send them everything?

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MR. REYNOLDS: We just send them a copy of the notice.

MR. FLANGAS: Okay.

THE HEARING OFFICER: We'll be off the record.
(Whereupon the foregoing was concluded.)

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STATE OF NEVADA)
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CARSON CITY)

I, Michel Doty Loomis, a Certified Shorthand Reporter, do hereby certify;

That on November 8, 1991, at 9:00 a.m. of said day, at 123 East Nye Lane, Carson City, Nevada, I was present and took stenotype notes of the hearing held before the Nevada Department of Conservation and Natural Resources, Division of Water Resources in the within entitled matter, and thereafter transcribed the same into typewriting as herein appears;

That the foregoing transcript, consisting of pages 1 through 54 hereof, is a full, true and correct transcription of my stenotype notes of said hearing.

Dated at Carson City, Nevada, this 22nd day of November, 1991.


MICHEL DOTY LOOMIS, CSR #228