

1 BEFORE THE STATE OF NEVADA, STATE ENVIRONMENTAL COMMISSION

In Re:) **Declaration of Daniel Galpern**
Appeal of Water Pollution Control)
Groundwater Permit NEV91022)
Reid Gardner Station)

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3 1. My name is Daniel Galpern. I am over the age of eighteen years. I am one of the
4 counsel for Appellant Sierra Club in this case. I make this declaration in support of Sierra Club's
5 response to the opposition to its motion for subpoenas, vacatur of hearing and briefing, and
6 suspension of permit and injunction against construction and related site preparation activities.

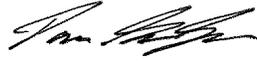
7 2. Exhibit 1 provides a faithful copy of an letter to myself from Attorney General
8 Cortez Masto, written by Dep. AG Carolyn Tanner, of Sept. 21, 2010.

9 3. Exhibit 2 constitutes the text of a voicemail left for me by Dep. AG Tanner on
10 Oct. 7, 2010. Grammatical errors and ungrammatical sounds were not transcribed from the voice
11 recording.

12 4. Exhibit 3 constitutes a delineation of the specific documents requested from
13 NDEP and NV Energy at issue in this motion, the date of the request, and an explanation of the
14 relevance to Sierra Club's evaluation of NEV 91022.

15 5. Exhibit 4 constitutes a faithful reproduction of a memo provided to me on Oct. 5
16 by hydrogeologist Elliott Lips describing water pooling on otherwise dry ground in the
17 floodplain of the Muddy River, below Reid Gardner wastewater pond E.

18 6. I declare under the penalty of perjury that the foregoing is true and correct to the
19 best of my knowledge.



Daniel Galpern, Staff Attorney
Oregon Bar No. 06195
Western Environmental Law Center
1216 Lincoln Ave.
Eugene, OR 97403
(541) 359-3243
galpern@westernlaw.org

Oct 19, 2010