

This account is a condensed version of a future longer article covering the five years it took to get the Case of Paradise Canyon vs. the Virgin Valley Water District, Mesquite, Nv Water rate-setting case, to trial. The extended version will include a historical perspective on water marketing in Clark County, primarily focusing on the Virgin River Valley and the relationship between the Mesquite City Council, the Virgin Valley Water District Board (VWVDB), the Southern Nevada Water Authority (SNWA), and the Department of Interior-Bureau of Reclamation and most importantly specific individuals with an affinity for one another in using public funds to generate tens of millions of dollars in profits primarily from "unused" Virgin River surface water among themselves.

The Virgin River, a Colorado River tributary, is publicly owned. Water leased or purchased by the VWVDB and SNWA comes from stock appropriations held by the Mesquite Irrigation Company (MIC) and the Bunkerville Irrigation Company (BIC), initially appropriate to their member's shareholders by Clark County District Judge Judge William Orr in 1927 as the Virgin River Decree and subsequently either handed down or purchased.

For those interested in how the civil process worked in this Case, it includes a lengthy series of motions over five years related to a discredited counterclaim, along with both credible and noncredible witness testimony, discussions on profiteering, and rate setting, the role of yellow journalism, along with the establishment of probable cause for future civil or criminal actions, and reporting on at least one admitted instance of perjury.

The longer paper captures delaying tactics during the trial and the frustration with Defense tactics during which the Plaintiff's attorney raised a minimum of 834 objections<sup>1</sup> concerning Bingham's questioning tactics, of which Judge Williams sustained 2747 (89 %). Bingham raised 70 Bingham objections, of which the Judge overruled 59 (84%) of those objections.

Judge Williams recognized the lopsided rulings since he told the Jury not to consider the rulings a "scorecard" of attorney behavior.

---

## The Case

The Case began on May 15, 2018, when the owners of the Paradise Canyon (DBA the Wolf Creek Golf Club), through their attorneys (Sylvester and Polednak, Las Vegas), filed the civil suit in the Eighth Judicial District Court, Las Vegas, against the VWVDB members Nephi

---

<sup>1</sup> In the law of the United States of America, an objection is a formal protest raised in court during a trial to disallow a witness's testimony or other evidence in violation of the rules of evidence or other procedural law.

<sup>2</sup> The judge then makes a ruling on whether the objection is "sustained" (the judge agrees with the objection and disallows the question, testimony, or evidence) or "overruled" (the judge disagrees with the objection and allows the question, testimony, or evidence).

Julien, Ben Davis, Richard Bowler, Travis Anderson, and Randy Laub contending that they and previous board members violated the Covenant of Good Faith and Fair Dealing doctrine in not adhering to a historically based understanding between the two parties on irrigation water pricing.

Then in September 2018, attorney Jedediah (Bo) Bingham, acting for Julien, Davis, Bowler, Anderson, and Laub, launched a losing counterclaim "blitzkrieg" against the owners of the Golf Course that prolonged the civil case for much of the five years it took to reach a jury.

Three days before an October 10, 2022, scheduled trial, Bingham, acting for the water board members Davis, Brian Bingham, Bowler, Laub, and Gary Elgort, said he was not ready after four and one-half years of litigation and 11 previous vacated trial delays to go to trial. Las Vegas District Court Judge Timothy Williams set aside Thursday, October 27, 2022, to begin hearing a series of pre-trial evidentiary motions in limine 3 before a trial set for Monday, October 31, 2022. That date fell by the wayside. Finally, the attorneys and the Judge agreed to the May 1, 2023 trial date to last no later than May 19, a promise made to the Jury. When Bingham asked for further delays, Judge Williams said, "We agreed to a trial date. I gave you the date, and you are stuck with it unless there is something beyond contemplation.

Beyond contemplation or not, the trial ran past the 19<sup>th</sup> until finally, on June 2, 2023, the Jury told board members Davis, Bingham, Bowler, Laub, and Elgort to pay the golf course owners \$811,000.00 in damages for violating the Covenant of Good Faith and Fair dealing provisions in a contractual relationship in which they attempt to raise irrigation water rates from a local Virgin River Valley rate of \$250-\$300 per stock share to Las Vegas Valley rate of \$1,246 per share set by the Southern Nevada Water Authority (SNWA).

The Jury looked at two versions of MIC and BIC Virgin River pricing. One, a set of Virgin River prices ranging from \$150 to \$300 for local irrigation and a \$1,246 value set by SNWA for taking credits on unused MIC water and converting the credits (with some adjustments) to domestic Water for their customers in the Las Vegas Metro area—two completely different markets. They set \$300 as the fair market rental value of the leased Virgin River Water shares as of January 1, 2020.

## Profiteering

It is all about using rate setting to generate profits on unused River Water. Consider that on June 9, 1993, as the first Board of the Virgin Valley Water District (VWVDB), John Lee, Crescent Hardy, J.L. Bowler, Todd Leavitt, and Sam Reber, all stockholders in either MIC or BIC or both, met and disregarding the need to fund underground water development focused on redistributing public funds to stockholders of MIC and BIC Virgin River water. By 2010, board membership had included, at one time or another, Cecil Leavitt, Paul Jensen, Vinnie Leavitt,

---

3 Motions in limine ask the court to order the opposing party, its counsel, and witnesses not to talk about, or even mention, certain facts or evidence in the presence or hearing of the jury.

Harold Wittwer, Bill Tanner, Michael Waite, Charlene Hughes, Kathryn Leavitt, Kraig Hafen, Dave Bennett, Kenyon Leavitt, John Paul, Ted Miller, Robert (Bubba) Smith, Karl Gustavson, and Mark McEwen. Between them, they acquired 551 stock shares<sup>4</sup> for \$12,159,670.86, ranging from a low of \$900 for a MIC share to \$72,000 for a BIC share by 2010.

VVWDB members from 1993 to now claim they spent all these funds to acquire the highly polluted water rights (not actual Water) and, sometime in about 2035, they will take the Water and clean it for domestic use at an estimated cost of 40 million dollars. That argument rings hollow since the Virgin River will either flow in 2035 or not. In purely economic terms, they use public funds valued higher today than in the future (time value of money) for Water that may or may not exist.

During the Case, the Jury favored the Golf Course owners over the historical actions of the VVWDB and SNWA administrators. In dollars and cents, the Jury's decision to drop the value of Virgin River Water shares means a "sunk cost" loss of \$11,994,370.86 (98%) in share value to ratepayers. But the spent dollars represent a pocketful of million-dollar miracles to those leasing or selling "unused" shares to the VVWDB and the SNWA administrators. (See tables in Appendix)

Regarding share losses to ratepayers, the actions by the SNWA are much worse in dollar value. Between 2005 and 2019, SNWA authorities invested \$57,798,817.99 in Virgin River stock shares. An estimate suggests they rolled over about 4,638 shares annually at \$1,246 per share per year, which amounts to \$57,798,817.99 over the ten years for shares worth \$13,916,248.31 (at \$1,246), taking a share value loss of \$43,882,569.68.<sup>i</sup>

In sum, as of 2019, ratepayers lost value in Virgin River stocks while shareholders gained \$69,958,487.99, and the profits keep flowing, maybe at a lower rate and maybe not.

## VVWD budget impact

The VVWDB never recovered from the \$12 million expenditure in unneeded and now devalued Virgin River stock shares. They roll over bonds and take from cash investments to cover expenses.

Consider their 2023 budget shows revenue at \$15,775,927 with expenditures of \$29,260,682.00 for a loss of \$13,484,755.00. They make up the difference by taking \$13,484,755.00 from their \$22,000,000.00 cash account, dropping that account to \$8,515,245.00, an amount unable to cover a 2024 deficit in the area of 13 million dollars.

---

<sup>4</sup> Including shares transferred to them from previous irrigation companies under the establishing Act.

But it is worse. The cash account must absorb the \$811,111.00 award to the owners of Paradise Canyon. Further, the VVWDB budgeted to receive \$566,927.00 for shares leases at \$1,246. At \$300, the actual value drops to \$136,499.28 for a loss of \$430,427.72. (See tables in the Appendix)

Water board members since 2018 have invested \$2,435,000 in attorney fees. They gave Bingham and attorneys from Hutchison @ Steffen, who joined Bingham in 2021, \$1,305,000 to take the Case to Trial, and Davis, Brian Bingham, Bowler, Laub, and Elgort, in anticipation of losing budgeted another \$1,130,000, approximately half for trials and the rest to begin appeals.

Attorney Bingham, and by default, the water board, planned for appeals in one discussion before trial; Judge Williams told Bingham that the Case would be over if they won in front of a jury, and the VVWDB could charge their "market" rate " (\$1,246) with no need to appeal. Not so, Bingham said. "We will appeal even if we win," because the District would lose all its future Water because the Judge allowed Wolf Creek a perpetual right to Water.

Because of Bingham's counterclaim delay, the owners of Paradise Canyon may go back to court for attorney fees, potentially adding another \$2,000,000.00 to the amount owed to the Plaintiffs.

Virgin Valley Litigation Costs	
Year	Amount
2018	\$120,000.00
2019	\$120,000.00
2020	\$190,000.00
2021	\$520,000.00
2022	\$355,000.00
2023 attorney fees budgeted	\$1,130,000.00
<b>Total</b>	<b>\$2,435,000.00</b>

*Table 1 Attorney fees*

## Pin the tail on the donkey.

To quote a line from the Music Man, "There is trouble right here in river city." When taking responsibility for potential water shortages or financial difficulties, the Mesquite City Council and the VVWDB play pin-the-tail-on-the-donkey.

Former city councilman Dave Ballweg, a pro-land developer, expressed the desire of city council members past and present to avoid responsibility regarding water issues. When he ran for office: "The first thing I want the public to understand is that the city council has no impact or say in district water policy." Of course, that is nonsense since every time they grant a development license of any size, and it creates an automatic demand for Water.

But the VVWDB wants to pin the responsibility for water demand on the City Council, as expressed on Tuesday, October 20, 2015, by Virgin Valley Water District Board (VVWDB) Julien. He told participants in a public meeting that the Mesquite City Council, not the Water Board, controls water allocations. Julien says, "It is not our right to determine that someone gets Water before somebody else. When a business comes to town and gets a permit from Mesquite, that is the City of Mesquite's problem. They are the ones who control that. If that business comes to town and they have the proper permits, we will provide the Water – that is what we do." The only limits are the number of building permits available.

Regardless of which government entity gets stuck, the public pays the consequences, literally and figuratively. The City Council continues to issue permits for Water that may or may not exist, ostensibly delivered by a water board that spends more than it takes in without reissuing bonds (which may or may not be available now) or taking money they no longer have from a depleted savings account.

The problem with the VVWDB governance is not new. In 2017, a group of citizens working with the Nevada legislature presented [Senate bill SB 461](#) 5, designed to place an appeal process in place if with the Virgin Valley Water District or the Moapa Valley Water District proposed a rate increase of 5 percent or more on Water. The Water Board put their lobbyist Warren Hardy to work to kill the legislation, and he did.

---

## Appendix Tables

On-time price paid by VVWDB between 1993-2010				
Company	Shares	Price paid	Actual value @ \$300 per share	Loss
MIC	403	\$6,613,152.57	\$120,900.00	\$6,492,252.57
BIC	148	\$5,546,518.29	\$44,400.00	\$5,502,118.29
Total	551	\$12,159,670.86	\$165,300.00	\$11,994,370.86
*SNWA 10 years of purchases and roll-over leases (2009-2019)				
BIC Sub-total individuals	20,819.33	\$25,940,880.24	\$6,245,797.81	\$19,695,082.43
MIC Sub-total individuals	18,813.35	\$23,441,431.75	\$5,644,004.43	\$17,797,427.32
Lonetti 1975 Trust (Virgin River)	6,754.82	\$8,416,506.00	\$2,026,446.07	\$6,390,059.93
Total	46,387.49	\$57,798,817.99	\$13,916,248.31	\$43,882,569.68
Annual	4,638.75	\$5,779,881.80	\$1,391,624.83	\$4,388,256.97
* Price paid based on \$1,246 per share. Actual prices would vary.				

*Table 2 Virgin River Water District Board and SNWA Virgin River price analysis*

---

5 The Proposed legislation provided for an appeal and public hearing before the Clark County Commissioners if the Moapa Valley Water District or the Virgin Valley Water District proposed a rate increase of over five percent for a water sale. The appeal in the amount of the raise if unjust and unreasonable may be modified or eliminate the increase. If they find the rate just and reasonable they may either take no action or impose the rate.

Virgin Valley Water Board (VVWB) accounting of Virgin River stock-share purchases prior to 1993						
Board members and years	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
Farmstead years. Shares transfer to VVWD Board members included: John Lee, Crescent Hardy, J.L. Bowler, Todd Leavitt and Sam Reber	8.00	N/A	1/1/1988	Ed Davis	M	NA
	26.00	\$52,000.00	8/1/1991	Hildreth & Tonks	M	\$2,000.00
	2.00	\$1,800.00	1/18/1992	Warren Hughes	M	\$900.00
	4.50	\$9,900.00	12/31/1992	Ken Jensen	M	\$2,200.00
	5.50	\$12,100.00	12/31/1992	Paul Jensen	M	\$2,200.00
Total	46.00	\$75,800.00				
Averages	9.20	\$18,950.00				\$2,059.78
1996-1997						
Board members	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
Samuel Rebr, Crescent Hardy, Cecil Leavitt, Paul Jensen and Vinnie Leavitt.	1.00	\$5,524.90	4/18/1996	Terry & Theresa Neville	B	\$5,524.90
	1.00	\$4,018.20	8/8/1996	Laren & Elaine Abbott	M	\$4,018.20
	84.00	\$504,000.00	12/20/1996	Jimmie Hughes	M	\$6,000.00
	5.00	\$30,000.00	12/20/1996	Archie Hughes	M	\$6,000.00
	41.00	\$246,000.00	1/22/1997	Rita Pulsipher	M	\$6,000.00
	0.50	\$3,000.00	1/30/1997	David Hamaker	M	\$6,000.00
	1.00	\$8,287.00	2/6/1997	Anna Bowler (Hardy)	B	\$8,287.00
	2.00	\$12,000.00	2/6/1997	J.L. Bowler	M	\$6,000.00
	2.00	\$12,000.00	2/11/1997	Bruce Jensen	M	\$6,000.00
	1.00	\$8,287.30	2/20/1997	Melissa Pulsipher	B	\$8,287.30
	2.00	\$12,000.00	3/5/1997	Bruce Jensen	M	\$6,000.00
	0.50	\$3,000.00	3/10/1997	Kevin & Kim Nielsen	M	\$6,000.00
	1.00	\$8,287.30	3/17/1997	Eldred & Ruby Leavitt	B	\$8,287.30
	1.00	\$6,000.00	4/21/1997	Ron Dodd	M	\$6,000.00
	2.50	\$15,000.00	4/24/1997	Sam Reber	M	\$6,000.00
	8.00	\$66,298.40	8/1/1997	Bruno Biasi	B	\$8,287.30
	10.00	\$60,000.00	8/4/1997	Sam Reber	M	\$6,000.00
	1.00	\$6,000.00	8/18/1997	Warren Hughes	M	\$6,000.00
1.00	\$8,287.30	10/6/1997	Sheila Hatridge	B	\$8,287.30	
13.50	\$81,000.00	12/12/1997	Bob Draskovich	M	\$6,000.00	
Total	179.00	\$1,098,990.40				
Averages	8.95	\$54,949.52				\$6,139.61

Table 3 Virgin Valley Water Board purchases to 1997

1998						
Board members	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
Board members Samuel Reber, Harold Wittwer, Bill Tanner, Michael Waite, Cecil Leavitt	1.00	\$6,000.00	1/8/1998	Warren Hughes	M	\$6,000.00
	2.00	\$11,656.00	2/4/1998	DeMar Hughes	M	\$5,828.00
	4.00	\$32,198.80	2/12/1998	Jay Hardy	B	\$8,049.70
	6.00	\$34,992.00	7/23/1998	Doug Hafen Kids	M	\$5,832.00
Total	13.00	\$84,846.80				
Averages	3.25	\$21,211.70				\$6,526.68
1999						
Board members	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
Sam Reber, Harold Wittwer, Cecil Leavitt, Charlene Hughes, Kathryn Leavitt.	1	\$8,055.00	2/2/1999	Bill Turner	B	\$8,055.00
	1	\$8,055.00	2/12/1999	Rowena Adams	B	\$8,055.00
	1	\$8,055.00	2/18/1999	Gail & Lorraine Leavitt	B	\$8,055.00
	3	\$18,000.00	4/27/1999	Lou Babcock	M	\$6,000.00
	5	\$30,000.00	5/27/1999	Doug Hafen Kids	M	\$6,000.00
	19	\$157,458.51	7/22/1999	Leavitt Land & Development	B	\$8,287.29
	10	\$60,000.00	7/22/1999	Leavitt Land & Development	M	\$6,000.00
	1	\$8,287.30	8/26/1999	Joe & Betty Dodenbier	B	\$8,287.30
	16	\$96,000.00	8/26/1999	B&V Knight Family Trust	M	\$6,000.00
	1	\$8,287.30	9/3/1999	Dannie & Sharon Leavitt	B	\$8,287.30
	1	\$8,287.30	9/13/1999	M. Evan Wilson	B	\$8,287.30
	1	\$8,287.30	9/23/1999	Daniel W. Holden	B	\$8,287.30
	1	\$8,287.30	9/23/1999	Wittwer Family Trust	B	\$8,287.30
	1	\$6,000.00	9/28/1999	Lyman B. Abbott	M	\$6,000.00
1	\$6,000.00	11/9/1999	Sheldon Hardy	M	\$6,000.00	
Totals	63	\$439,060.01				
Averages	4	\$29,270.67				\$6,969.21
2000						
Board members	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
Harold Wittwer, Cecil Leavitt, Kriag Hafen, Kathryn Leavitt, Charlene Hughes,	1.00	\$8,287.30	1/7/2000	Rosalie W. Bunker	B	\$8,287.30
	1.00	\$8,287.30	3/24/2000	Mike & Lisa Woods	B	\$8,287.30
	1.00	\$8,287.30	11/3/2000	Vincent L. Leavitt	B	\$8,287.30
Totals	3.00	\$24,861.90				
Averages	1.00	\$8,287.30				\$8,287.30

Table 4 Virgin Valley Water Board rates and purchases 1998-2000

2002-2004						
Board members	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
Kraig Hafen, Cecil Leavitt, Dave Bennett, Charlene Hughes, Kenyon Leavitt	32.00	\$265,193.60	12/12/2002	B. Biasi 1983 Trust	B	\$8,287.30
	1.00	\$8,287.30	2/13/2003	Gordon & Sue Reber	B	\$8,287.30
	1.00	\$2,287.29	2/13/2003	Jack Faught	M	\$2,287.29
	-1.00	\$0.00	8/7/2003	Jack Faught	B	\$0.00
	1.00	\$8,287.30	9/8/2003	Larry & Colleen Reber	B	\$8,287.30
	1.00	\$8,287.30	10/22/2003	Nels & Carol Jacobson	B	\$8,287.30
	61.00	\$402,600.00	4/26/2004	Paradise Canyon LLC	M	\$6,600.00
	9.00	\$59,400.00	6/7/2004	Martin Development	M	\$6,600.00
	1.00	\$9,116.00	12/6/2004	Larry & Colleen Reber	B	\$9,116.00
Totals	106.00	\$763,458.79				
Averages	11.78	\$84,828.75				\$7,202.44
2005						
Board members	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
Kraig Hafen, Dave Bennett, Theron Jensen (replaced Charlene Hughes), Kenyon, and Cecil Leavitt then John Paul, Ted Miller (replaced Hafen), and Robert (Bubba) Smith (replaced Jensen) joined Cecil and Kenyon Leavitt	0.50	\$3,300.00	4/20/2005	Lyman B. Abbott	M	\$6,600.00
	3.00	\$68,418.00	7/25/2005	Abbe Green/Don Lee	M	\$22,806.00
	4.00	\$126,000.00	9/9/2005	Kelly & Karla Jensen	B	\$31,500.00
	1.00	\$22,806.00	10/3/2005	Larry Reber	M	\$22,806.00
	3.00	\$94,500.00	12/28/2005	Marilyn Baier Trustee	B	\$31,500.00
Totals	11.50	\$315,024.00				
Averages	2.30	\$63,004.80				\$27,393.39

Table 5 Virgin Valley Water Board rates and purchases 2002-2005



2006-2009						
Board members	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
John Paul, Ted Miller, Kenyon Leavitt, Cecil Leavitt, Robert (Bubba) Smith	2.00	\$45,612.00	1/11/2006	K.G. Mills	M	\$22,806.00
	0.50	\$11,403.00	1/24/2006	James A. Barnum	M	\$22,806.00
	1.00	\$22,806.00	4/3/2006	Robert T. Wisne	M	\$22,806.00
	1.00	\$31,500.00	7/13/2007	Erik & Judy Laub	B	\$31,500.00
	60.00	\$4,285,363.20	7/24/2008	Oasis Golf Club	M	\$71,422.72
	3.00	\$214,268.16	7/25/2008	Steve Tietjen	M	\$71,422.72
	1.00	\$86,000.00	8/6/2008	Leona Tanner	B	\$86,000.00
	4.00	\$320,224.92	9/10/2008	Bunk. Farm, LLC: Duane E. and Ivona H. Magoon, Ron and Carlyn Leavitt, and John Derrick	B	\$80,056.23
	1.00	\$71,422.72	9/30/2008	Mike Black	M	\$71,422.72
	8.00	\$638,089.84	3/5/2009	Bunk. Farm, LLC	B	\$79,761.23
	35.00	\$2,801,968.05	10/27/2009	Bunk. Compound LLC: Scott Bulloch and Crescent Hardy	B	\$80,056.23
	8.00	\$619,971.07	12/1/2009	Bunk Farm LLC	B	\$77,496.38
Totals	124.50	\$9,148,628.96				
Averages	10.38	\$762,385.75				\$73,482.96
2010						
Board members	Shares	Purchase price	Purchase date	Individual	B=BIC, M=MIC	Price per share
John Paul, Karl Gustaveson, Kenyon Leavitt, Ted Miller and Mark McEwen	1.00	\$65,000.00	4/29/2010	Staci (Hughes) Frei	M	\$65,000.00
	2.00	\$144,000.00	5/4/2010	Michael & Lynnette Waite	B	\$72,000.00
Total	3.00	\$209,000.00				
Averages	1.50	\$104,500.00				\$69,666.67

Table 6 Virgin Valley Water Board rates and purchases 2006-2010

Southern Nevada Water Authority, Virgin River Fees, Paid to Bunkerville Irrigation Company (BIC) shareholders Under its Intentionally Created Surplus Program (2005 to 2019)

Water Year	Invoice Name	Amount
2005	Dixie and Anne Leavitt Foundation (350 BIC Shares) (Virgin River)	\$11,686,500.00
2009-2011	The Dixie and Anne Leavitt Foundation	\$2,014,954.99
2013-2014	American Bank of the North	\$10,896.00
2009-2013	BDV, LLC: Kraig Hafen	\$2,073,255.06
2009-2019	NDKMT LLC: Kraig Hafen	\$142,282.21
2009-2016	Bowler, Joe (1942-2018)	\$60,578.29
2017-2019	Joe Bowler (1942-2018) and Dixie Bowler Family Trust	\$7,677.80
2009-2019	Reid Bunkerville LLC Bruce Garnett, Joseph Bowler (1942-2018)	\$865,209.96
2009-2019	Welfare Farm Trust: Bruce Garnett and Joseph Bowler (1942-2018)	\$447,172.66
2009-2013	Brotherson, Linda	\$12,093.46
2014-2019	The Brotherson Family Trust	\$8,062.50
2009-2014	Bunk Farm LLC: Ron and Carlyn Leavitt and Duane E and Ivona H. Magoon	\$102,913.36
2009-2019	Bunker Farm Inc. BRIAN D HAVILAND ROBERT M BUNKER	\$3,096,466.89
2009-2018	Bunkerville Irrigation Co. Robert M. Bunker Brian D. Haviland Derek Hafen Duane Magoon	\$730,420.75
2009-2019	Draskovich, Robert & Janice	\$673,921.57
2009-2012	Roberts Refrigeration Inc. Defined Pension Plan Trust ROBERT MITCHELL DRASKOKVICH Trust	\$84,342.00
2009-2019	Faught, Jack or Faught, Katheren	\$40,144.36
2017-2019	Haviland, Brian, or Joy	\$11,516.70
2009	Houston, Fred And Houston, Michele	\$2,792.56
2009-2014	Jensen, Theron	\$13,825.68

Southern Nevada Water Authority, Virgin River Fees, Paid to Bunkerville Irrigation Company (BIC) shareholders Under its Intentionally Created Surplus Program (2005 to 2019)

Water Year	Invoice Name	Amount
2009	Leavitt, Edward Read	\$80,056.23
2009-2016	Leavitt, Melvin	\$16,233.28
2009-2019	Perez, Paula	\$20,326.03
2009-2019	R & R Water Rights, LLC: Roger M. Bunker	\$3,536,729.22
2009-2019	The Bunker Family Trust	\$20,326.03
2010-2019	Sandoval, Jose	\$17,533.47
2017-2019	Theron N. Jensen Family Trust	\$3,838.90
2011-2017	Virgin Valley Water District	\$160,810.28
Total		\$25,940,880.24

Southern Nevada Water Authority Virgin River Fees Paid to Mesquite Irrigation Company (MIC) shareholders Under its Intentionally Created Surplus Program (2005 to 2019)		
Water Year	Invoice Name	Amount
2008	Greenscope I, LLC dba Oasis Golf Course	\$749,938.56
2009-2019	BDV, LLC: Kraig Hafen	\$6,879,466.13
2009-2016	Joseph Bowler (1942-2018)	\$248,518.04
2009	Burns Group Limited Partnership	\$8,020,103.08
2017-2019	Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints	\$6,311.62
2009-2019	Derek and Kim Hafen Family Trust	\$122,632.63
2018-2019	Dorsett, Jalinah	\$14,943.67
2009-2019	Douglas and Ann Hafen Family Trust	\$233,571.52
2009-2019	Draskovich, Janice	\$86,784.20
2009	Easton, Michael	\$130,917.85
2017-2019	Faught, Elwood, or Tara	\$3,155.81
2017-2019	Faught, Jack or Kathy	\$3,155.81
2017-2019	Faught, Slade, or Romy	\$3,155.81
2009-2019	Frei, Staci	\$22,489.14
2009-2012	Gleave, John	\$9,320.69
2009	Hafen, Dora	\$88,696.95
2009	Hafen, Jearld	\$78,564.99
2009	Hafen, Keith	\$85,707.26
2009-2011	Hughes, Lyle	\$99,429.59
2009-2011	Hughes, Shawn	\$15,401.38
2012-2019	Hughes, Shawn and Mindy	\$19,765.22

Southern Nevada Water Authority Virgin River Fees Paid to Mesquite Irrigation Company (MIC) shareholders Under its Intentionally Created Surplus Program (2005 to 2019)		
Water Year	Invoice Name	Amount
2017-2019	Ivins & Thriza Jones Living Trust dated 5/20/2002	\$41,465.47
2009-2016	Jensen, Arlene	\$42,603.09
2009-2016	Jensen, Theron	\$39,052.84
2017-2019	Jensen, Theron N. and Chris	\$8,678.48
2009-2019	Kraig & Susan Hafen Family Trust	\$111,125.73
2009-2019	Nelson E. Hafen Trust	\$126,286.72
2011-2019	Merlin and Victoria Hafen Family Trust	\$74,742.88
2009-2019	River View Limited Liability Company: Kraig Hafen	\$2,604,140.90
2009-2019	Tilman & Jennifer Hafen Family Trust	\$70,333.20
2017-2019	Joe Bowler and Dixie Bowler Family Trust	\$55,226.68
2009-2019	Virgin Valley Disposal: Jack, Katherene, Elwood Faught, and Kasandra Leavitt	\$30,505.27
2017-2019	Toquop LLC Theron Jensen	\$9,467.43
2017-2019	The Courtney Jensen Revocable Living Trust	\$15,779.05
2017-2019	Jones, Janice	\$3,155.81
2009-2016	Jones, Thirza	\$121,849.17
2009	Kamandy, Sadat And Miller, Jeannine	\$71,422.72
2018-2019	Leavitt, Scott O.	\$14,943.67
2018-2019	Leavitt, Steven L.	\$10,674.05
2009-2019	Lee, Kelvin and Lee, Chloe	\$43,392.12
2009-2019	Moss Jr., Boyd	\$86,784.20
2009-2018	Pollock Family Trust	\$285,611.50

Southern Nevada Water Authority Virgin River Fees Paid to Mesquite Irrigation Company (MIC) shareholders Under its Intentionally Created Surplus Program (2005 to 2019)		
Water Year	Invoice Name	Amount
2017-2019	The Survivors Trust of the 1988 Pollock Family Trust	\$55,013.14
2017-2019	Rebecca Hardung Botsford Trust	\$3,155.81
2009-2019	Reber Revocable Trust	\$52,070.52
2009-2019	Reber, Samuel	\$627,888.54
2009-2019	Shaner, Arthur W	\$17,583.30
2009-2019	Steyee, James And Brown, Tammy	\$173,568.40
2017-2019	Stokes, Susan	\$3,944.77
2013-2019	The Brotherson Family Trust	\$8,262.61
2009-2019	The Hughes Family Trust	\$36,744.51
2012-2019	The Lyle & Sarah Hughes Family Trust	\$144,252.98
2009-2019	The Leavitt Family Trust	\$395,772.78
2018-2019	The Ron Ellett Family Trust	\$14,943.67
2009-2019	Virgin Valley Ranch LLC: Robert R. Black	\$312,423.12
2011-2019	Virgin Valley Water District	\$31,646.21
2017-2019	Woods, Val and Carol	\$3,155.81
2017-2019	Zona Jensen Living Trust	\$63,116.20
2009-2019	Mesquite Irrigation Company: Kelby Hughes, Kraig Hafen, and Derek Hafen.	\$708,618.45
Total		\$23,441,431.75

Table 7 SNWA summary total of Virgin River payments

Southern Nevada Water Authority Payments to Mesquite Irrigation Company (MIC and Bunkerville Irrigation Company shareholders between 2005 and 2019		
Payee	Earning	Percent
*Leavitt	\$14,322,246.83	24.69%
*/**Hafen	\$12,690,806.18	21.88%
**Bunker	\$3,557,055.25	6.13%
Bunker/ **Haviland	\$3,096,466.89	5.34%
*Bowler	\$1,684,383.43	2.90%
Bunkerville Irrigation Company (BIC)	\$730,420.75	1.26%
Mesquite Irrigation Company (MIC)	\$708,618.45	1.22%
*Reber	\$679,959.06	1.17%
Virgin Valley Water District	\$392,456.49	0.68%
*Hughes	\$315,593.68	0.54%
*Jensen	\$104,160.09	0.18%
*Leavitt/**Magoon	\$30,306.80	0.05%
Sub-total	\$11,269,838.09	19.43%
Other subtotals	\$46,728,979.90	80.57%
Total	\$57,998,817.99	100.00%
Mesquite Irrigation Company: Kelby Hughes, Kraig Hafen, and Derek Hafen.		
Bunkerville Irrigation Co. Robert M. Bunker, Brian D. Haviland, Derek Hafen, Duane Magoon		
* Family member(s) served on Virgin Valley Water Board		
** Family member(s) served on MIC and or BIC Irrigation District Virgin Valley Water Board		

Table 8 SNWA payment summary to 2019

---

<sup>i</sup> The SNWA losses continued beyond 2019 but requires an updated freedom of information request.