



STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

100 North Carson Street
Carson City, Nevada 89701-4717

CATHERINE CORTEZ MASTO
Attorney General

KEITH G. MUNRO
Assistant Attorney General

JIM SPENCER
Chief of Staff

July 27, 2009

John Walker, Executive Secretary
Nevada State Environmental Commission
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701

Re: NDEP's Joinder in Bango Oil's Pre-Hearing Brief and Motion for Summary Judgment, Motion to Limit Scope of Rebuttal Testimony, and Motion to Vacate and Reset Hearing

Dear Mr. Walker:

The Nevada Division of Environmental Protection (NDEP) hereby joins in the motions entitled Pre-Hearing Brief and Motion for Summary Judgment, Motion to Limit Scope of Rebuttal Testimony and Motion to Vacate and Reset Hearing filed by Bango Oil LLC (Bango Oil) filed July 27, 2009, and the previously filed Motion to Dismiss of April 2009.

All parties have concluded their case in chief. Remaining before the State Environmental Commission (Commission) are several matters which NDEP respectfully requests the Commission consider addressing in the following order: 1) entering NDEP's exhibits; 2) hearing and deciding several motions; 3) rebuttal testimony; and 4) deliberation. As to item 2, NDEP further requests the Commission rule on the motions in the following sequence: a) Motion to Dismiss (held in abeyance);

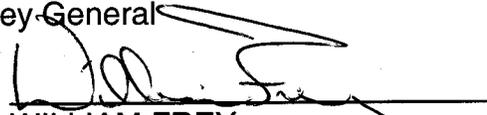
John Walker, Secretary
July 27, 2009
Page 2

b) Motion for Summary Judgment; c) Motion to Limit Scope of Rebuttal Testimony;
d) Motion to Vacate and Reset Hearing. NDEP makes this request in order to have these various matters heard in the most reasonable and expeditious manner.

Sincerely,

CATHERINE CORTEZ MASTO
Attorney General

By:


WILLIAM FREY
Senior Deputy Attorney General
Conservation & Natural Resources
(775) 684-1229

WF/rmh
By email

Denise W. Kennedy, Esq.
Holly Bute
Rose Marie Reynolds, DAG