



US Department of Justice

Randolph J. Seiler
Acting United States Attorney
District of South Dakota

RECEIVED
MAY 14 2015
WATER RIGHTS
PROGRAM

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Pierre, SD 57501

605.224.5402
FAX 605.224.8305

May 7, 2015

United Order of South Dakota
PO Box 5050
Custer, SD 57730

Ann Mines-Bailey, Esq.
Assistant Attorney General
1302 East Highway 14, Suite 1
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Jeanne Goodman, Chief Engineer
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Craig Bobzien, Forest Supervisor
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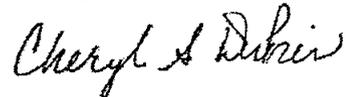
Re: National Park Service v. United Order of South Dakota
Sixth Judicial Circuit Court / Water Permit Application No. 2730-2

Ladies and Gentlemen:

Enclosed is the 1) Motion by Non-Resident Attorney for Admittance Pro Hac Vice for Peter Fahmy, 2) Motion in Support of Motion, and 3) proposed Order. Please consider this as service by mail upon you. Thank you.

Sincerely,

Randolph J. Seiler
Acting United States Attorney

A handwritten signature in cursive script, reading "Cheryl Schrempp DuPris".

Cheryl Schrempp DuPris
Assistant U.S. Attorney

/mkp
Enclosure

RECEIVED

MAY 14 2015

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

IN CIRCUIT COURT
SIXTH JUDICIAL DISTRICT

WATER RIGHTS
PROGRAM

NATIONAL PARK SERVICE)
)
Petitioner,)
)
v.)
)
UNITED ORDER OF SOUTH)
DAKOTA,)
)
Applicant.)
)

BEFORE THE WATER MANAGEMENT BOARD
STATE OF SOUTH DAKOTA

Water Permit Application No. 2730-2

MOTION BY NON-RESIDENT ATTORNEY FOR ADMITTANCE *PRO HAC VICE*

COMES NOW Peter A. Fahmy, a non-resident attorney, and pursuant to S.D.C.L. § 16-18-2 (as amended), hereby moves the Court to be admitted *pro hac vice* as counsel for the National Park Service (NPS) in the captioned water permit proceeding before the State Water Management Board. In support of this motion, Petitioner offers the following:

1. Mailing Address Of Non-Resident Attorney: National Park Service, Water Rights Branch, 1201 Oakridge Drive, Suite 250, Fort Collins, CO 80525.
2. Name And Address Of Licensed South Dakota Attorney With Whom Non-Resident Attorney Will Associate: Cheryl Schrempp DuPris, Assistant United States Attorney, 225 South Pierre Street, Suite 337, Pierre, SD 57501.
3. Statement Of Good Standing: I am currently a member in good standing of the bar of the state of my residence (Colorado #15975). I have previously been admitted *pro hac vice* by this Court in 2006 to serve as counsel for the Petitioner in a hearing before the Water Management

Board involving a water permit application. I have also represented the NPS in water rights hearings before the Nevada State Engineer, the Oklahoma Water Resources Board, and the Utah State Engineer.

4. Disciplinary Actions: During the preceding five years, I have not been the subject of any disciplinary action(s) by the bars or courts of the state of my residence (Colorado), or any other state.

5. Denial of Admission To Other Courts: During the preceding five years, I have never been denied admission to any state or Federal court.

6. Rules Of The State Bar Of South Dakota: I am familiar with the rules of the State Bar of South Dakota governing the conduct of members of the State Bar, and so long as the subject case is pending, and I have not withdrawn as counsel. I will at all times abide by and comply with such rules.

7. Statement Concerning Compensation: I am not in private practice. I am appearing as an attorney deputized by the Office of the Solicitor, U.S. Department of the Interior, to appear in the above-captioned case on behalf of the National Park Service, U.S. Department of the Interior. My appearance before the State Water Management Board will be part of my regular duties as an employee of the National Park Service, and I will not receive any additional compensation for this appearance.

8. Other: To the best of my knowledge, the Applicant is without counsel and, therefore, has not been consulted regarding the substance of this motion.

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of May, 2015, true and correct copy of the foregoing MOTION BY NON-RESIDENT ATTORNEY FOR ADMITTANCE PRO HAC was mailed postage pre-paid in the United States Mail to:

United Order of South Dakota
PO Box 5050
Custer, SD 57730

Ann Mines-Bailey, Esq.
Assistant Attorney General
1302 East Highway 14, Suite 1
Pierre, SD 57501

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Cheryl Schrempp DuPris
Assistant United States Attorney
United States Attorney's Office
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Cheryl.Dupris@usdoj.gov

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

IN CIRCUIT COURT
SIXTH JUDICIAL DISTRICT

NATIONAL PARK SERVICE,)
)
 Petitioner,)
)
 v.) Water Permit Application No. 2730-2
)
 UNITED ORDER OF)
 SOUTH DAKOTA,)
)
 Applicant.)
)

**MOTION IN SUPPORT OF MOTION BY NON-RESIDENT ATTORNEY FOR
ADMITTANCE *PRO HAC VICE***

COMES NOW, Cheryl Schrempp DuPris, Assistant United States Attorney, and pursuant to S.D.C.L. § 16-18-2 (as amended), hereby supports the motion of Peter A. Fahmy, a non-resident attorney, to be admitted *pro hac vice* as counsel for the Petitioner (National Park Service) in the captioned water permit proceeding before the State Water Management Board (Board). The grounds for this motion are as follows:

1. I am a resident practicing attorney of the State of South Dakota.
2. I will be associated with Mr. Fahmy, on behalf of the National Park Service, United States Department of the Interior, in any hearings on the captioned water permit application before the Board.
3. Based on my association with Mr. Fahmy, I find him to be a reputable and competent attorney, and for purposes of this case, recommend his admission to practice before the Board.

DATED this 1th day of May, 2015.

RANDOLPH J. SEILER
ACTING UNITED STATES ATTORNEY


Cheryl Schrempp DuPris

Assistant United States Attorney
United States Attorney's Office
P. O. Box 7240
225 S. Pierre Street, Suite 337
Pierre, SD 57501
(605) 224-5402
FAX: (605) 224-1805
Cheryl.Dupris@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of May, 2015, true and correct copy of the foregoing Motion in Support of Motion by Non-Resident Attorney for Admittance *Pro Hac Vice* were mailed postage pre-paid in the United States Mail to:

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Cheryl Schrempp DuPris

ORDERS, ADJUDGES, and DECREES that Mr. Fahmy is admitted *pro hac vice* to represent the National Park Service in the captioned water rights hearing before the State Water Management Board.

DATED this ___ day of May, 2015.

BY THE COURT:

CIRCUIT COURT JUDGE

Supreme Court  State of Colorado

ATTORNEY REGISTRATION

This is to certify that

2015

PETER ANDREW FAHMY

15975

is on the roll of attorneys eligible to practice law in the state of Colorado

ACTIVE

Only Active members in good standing can practice law.
Confirm status at www.coloradosupremecourt.us

Christopher J. Ryan
Clerk of the Supreme Court