

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 53975,  
FILED BY Las Vegas Valley Water District  
ON 10-17 1989, TO APPROPRIATE THE  
WATERS OF Underground, Nye County  
PROTEST

Comes now Beatty Town Advisory Council

Printed or typed name of protestant

whose post office address is P.O. Box 837, Beatty, NV 89003

Street No. or P.O. Box, City, State and Zip Code

whose occupation is Municipality

and protests the granting

of Application Number 53975, filed on October 17, 1989

by Las Vegas Valley Water District

Printed or typed name of applicant

to appropriate the

waters of Underground situated in Nye

Underground or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

The granting or approval of the above-referenced Application would be detrimental to the public interest in that it, individually and together with the other applications of the water importation project, would; 1. Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related statutes;

2. Take or harm those endangered or threatened species

See Attached

THEREFORE the protestant requests that the application be Denied

(Denied, issued subject to prior rights, etc., as the case may be)

and that an order be entered for such relief as the State Engineer deems just and proper.

Signed LaRene Younghans  
Agent or protestant

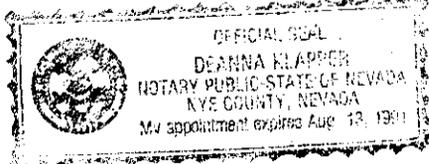
LaRene Younghans, Chairman  
Printed or typed name, if agent

Address P.O. Box 837,  
Beatty, NV 89003

Street No. or P.O. Box No.

City, State and Zip Code No.

Subscribed and sworn to before me this 3rd day of July 1990



Deanna Klapper  
Notary Public

State of Nevada

County of Nye

**\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE. ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.**

OK

The granting or approving of the subject application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and a water resource plan for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest of rural areas, including but not limited to Oasis Valley.

The application cannot be granted because the applicant has failed to provide information to enable the State Engineer to safeguard the public interest properly. The adverse effects of this application and related applications associated with this major withdrawal and transportation project cannot properly be evaluated without an independent, formal and publicly-reviewable assessment of:

- a. cumulative impacts of the proposed extraction;
- b. mitigation measures that will reduce the impacts of the proposed extraction;
- c. alternatives to the proposed extraction, including but not limited to, the alternatives of no extraction and mandatory and effective water conservation in the Las Vegas Valley Water District service area.

This application is one of 145 applications filed by the Las Vegas Valley Water District seeking to appropriate 804,195 acre feet of ground water primarily for municipal use within the service area of the District in Clark County. Diversion and export of such a quantity of water will: lower the water level in Rural Nevada Basins; adversely affect the quality of remaining ground water; and further threaten springs, seeps and phreatophytes which provide water and habitat critical to the survival of wildlife, grazing livestock and other surface area existing uses.

The approval of the subject application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District.

The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the subject application filed pursuant to NRS 533.365.