

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

FILED  
MAR 28 2011  
STATE ENGINEER'S OFFICE  
PROTEST

IN THE MATTER OF APPLICATION NUMBER 79263 <sup>UP</sup> 53991  
FILED BY LVVWD / SNWA  
ON October 17, 1989 TO APPROPRIATE THE  
WATERS OF UNDERGROUND

}

Comes now LAUNCE V. RAKE

whose post office address is 1234 S. 17th St Las Vegas NV 89104

whose occupation is a COMMUNICATIONS DIRECTOR, PLAN and protests the granting

of Application Number 79263 <sup>UP</sup> 53991, filed on October 17, 1989 by LVVWD / SNWA to appropriate the

waters of UNDERGROUND situated in LINCOLN County, State of Nevada, for the following and on the following grounds, to wit: (CHECK ALL THAT APPLY)

- 1. There is insufficient water available in the proposed source of supply.
- 2. The application and proposed use would conflict with existing water rights and protectable interests in domestic and/or ranch production and/or municipal wells.
- 3. The appropriation and export of water proposed in this application would be detrimental to the public interest on environmental grounds in the basin of origin and in hydrologically connected and/or downwind basins and would be environmentally unsound as it relates to the proposed export basin: Harm to wildlife and wildlife habitat, degradation of air quality, destruction of recreational and aesthetic values, degradation of water quality, degradation of cultural resources, harm to state wildlife management areas and parks and state and federal wildlife refuges and parks.
- 4. The appropriation and export of water proposed in this application would be detrimental to the public interest on economic grounds and would unduly limit future growth and development in the basin from which the export is proposed: Undue limitation of future economic activity and growth in the basin of origin, undue economic harm will extend to the economies and communities of downgradient hydrologically connected and downwind basins, loss of public lands grazing and forage.
- 5. The proposed action is not an appropriate long-term use of Nevada's water:
- 6. The Applicant has not justified the need to import water from another basin:
- 7. The Applicant has not implemented a sufficient conservation plan.
- 8. The Applicant has not demonstrated the good faith intent or financial ability and reasonable expectation to actually construct the work and apply the water to the intended beneficial use with reasonable diligence.
- 9. The Applicant has a duplicative application filed in 2010 which may require a duplicative hearing for the same groundwater.
- 10. The appropriation and export of groundwater from Spring Valley will harm existing permitted uses in the hydrologically connected areas including but not limited to Snake Valley and Great Basin NP.
- 11. The appropriation and export of groundwater from Cave, Dry Lake, and Delamar Valleys will harm hydrologically connected areas including but not limited to Pahrnagat and Moapa NWRs and Pahrnagat and White River Valleys and Lake Mead NRA.
- 12. Protestant reserves the right to amend this protest to include issues as they develop and incorporates other protests to SNWA's applications by reference.

THEREFORE the Protestant requests that the application be DENIED and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Launce V. Rake

LAUNCE V. RAKE  
Printed or Typed name, if agent

1234 S. 17th St.  
Las Vegas NV 89104  
Address, City, State, Zip

Phone Number (702) 791-1963

Subscribed and sworn to before me this 3<sup>rd</sup> day of March, 2011

Sharon Beehouse

Notary Public  
State of Nevada  
County of Clark



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STATE ENGINEER'S OFFICE

**ATTACHMENT TO PROTEST OF LAUNICE U. RAKE AGAINST  
APPLICATION NO. S3991, FILED Oct. 17, 1989,  
BY THE LAS VEGAS VALLEY WATER DISTRICT AND OWNED BY THE SOUTHERN  
NEVADA WATER AUTHORITY**

This attachment lists and briefly describes the reasons and grounds for this protest of LAUNICE U. RAKE ("Protestant") against Application Number S3991. The Southern Nevada Water Authority ("SNWA" or "Applicant") is the successor-in-interest to the Las Vegas Valley Water District which filed this Application to appropriate groundwater from LINCOLN CO. as part of its massive proposed network of wells and pipelines stretching across eastern Nevada from Clark County through Lincoln County and into White Pine County (the "Pipeline Project").

1. There is insufficient water available in the proposed source of supply.
2. The application and proposed use would conflict with existing water rights and protectable interests in domestic and/or ranch production and/or municipal wells.
3. The appropriation and export of water proposed in this application would be detrimental to the public interest on environmental grounds and would be environmentally unsound as it relates to the proposed export basin:
- Harm to wildlife and wildlife habitat:
  - Degradation of air quality:
  - Destruction of recreational and aesthetic values:
  - Degradation of water quality:
  - Degradation of cultural resources:
  - Harm to state and national parks and wildlife refuges and management areas, including Great Basin National Park and Lake Mead National Recreation Area.
4. The appropriation and export of water proposed in this application would be detrimental to the public interest on economic grounds and would unduly limit future growth and development in the basin from which the export is proposed:
- Undue limitation of future economic activity and growth in the basin of origin:
  - Undue economic harm will extend to the economies and communities of downgradient hydrologically connected and downwind basins.
  - Loss of public lands grazing and forage
5. The proposed action is not an appropriate long-term use of Nevada's water:
6. The Applicant has not justified the need to import water from another basin:
7. The Applicant has not implemented a sufficient conservation plan.
8. The Applicant has not demonstrated the good faith intent or financial ability and reasonable expectation to actually construct the work and apply the water to the intended beneficial use with reasonable diligence.
- Changed circumstances, uncertain intent, doubtful financing:
  - Failure to demonstrate ability to access land containing point of diversion.
9. Protestant reserves the right to amend this protest to include issues as they develop.
10. Protestant incorporates other protests to SNWA's applications by reference.
- ADDITIONAL REASONS AND GROUNDS ON NEXT PAGE ⇨⇨⇨⇨⇨⇨