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STATE ENGINEERS OFFI

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

In the Matter of Application Number 54010 Filed on October 17, 1989 held by Southern Nevada Water Authority for Permission to Appropriate the Public Waters of the State of Nevada	**PROTEST**

Comes now The Long Now Foundation, whose post office address is Fort Mason Center, Landmark Building A, San Francisco, California 94123, and protests the granting of Application Number 54010, filed on October 17, 1989. Application No. 54010 is one of 19 applications (App Nos. 54003-54021) held by Southern Nevada Water Authority (SNWA) to appropriate water rights in the Spring Valley Basin. Recently re-noticed by the State Engineer of Nevada in order to reopen the protest period, the Long Now Foundation protests the granting of Application No. 54010 for permission to appropriate the public waters of the State of Nevada, for the following reasons and on the following grounds, to wit:

1. The full extent of the water exportation scheme contemplated by SNWA is unknown at this time and it is uncertain how many additional groundwater and/or surface water appropriations or change applications SNWA will file to supplement the amount of water sought by Application No. 54010. Before acting on the individual applications, the applicant should be required to provide a detailed abstract of the total duty of water sought for exportation including details as to the supplemental nature of the individual groundwater and surface water applications.

2. The applicant's answer to "Question 12" does not provide sufficient details for the proposed project or proposed water usage, to allow the public, interested parties, protestants, and the State Engineer to make a proper evaluation of the potential impacts of approving the application. Based on the scope and magnitude of the water exportation scheme proposed by Application Nos. 54010 et al., the applicant should be required to conduct the Hydrologic and Environmental Studies specified by NRS 533.368, before the State Engineer makes a final determination on the applications.

3. On information and belief, Application Nos. 54010 et al. seek to appropriate more groundwater than the perennial yield of the basin as currently recognized by the State Engineer.

4. On information and belief, Application Nos. 54010 et al. seek to appropriate more groundwater than the safe yield of the basin.

5. The application involves an interbasin transfer and should be rejected pursuant to NRS 533.370(6) for, among other reasons, the applicant's failure to:

A. justify the need to import water to the other basin(s);

B. demonstrate that a conservation plan(s) has been adopted and effectively carried out for the other basin(s);

C. demonstrate that the proposed export of water from the basin is environmentally sound;

D. demonstrate that the proposed action is an appropriate long-term use which will not limit growth and development in the basin; and,

E. identify the specifics of the proposed project, including the basin(s) into which water will be imported.

6. The application for interbasin transfer should also be rejected pursuant to NRS 533.370 for the lack of information regarding:

A. access to the use of public/private lands necessary for the construction of the works of diversion and the means of conveyance;

B. financial ability to construct the works and apply the water to the intended use with reasonable diligence;

C. technical feasibility to construct the works and apply the water to the intended use with reasonable diligence; and,

D. justification for the quantity of water required for the proposed project.

7. Granting the application would threaten to prove detrimental to the public interest.

8. Granting the application would threaten to prove detrimental to the public interest in ways that are not yet known to this Protestant, but which may arise or first become known to this Protestant in the period between the date of filing of the Application and the hearing on the protested Application.

9. Granting the application would threaten to prove detrimental to the public interest and the interests and rights of The Long Now Foundation for the reasons stated above, and because among other things, it would:

A. result in degraded air quality and adverse impacts to visual resources in the region;

B. result in adverse economic impacts due to degraded air quality and visual resources;

C. result in adverse impacts to hydrological, biological, cultural, and environmental resources;

D. result in adverse impacts to the riparian vegetation and natural habitat that support sensitive plant and animal species in the region;

E. result in adverse impacts to the water resources in adjacent basins;

F. result in interference with artesian water sources, springs, and seeps in the region; and,

G. otherwise adversely affect the interests of The Long Now Foundation.

10. This Protestant incorporates in this Protest by reference, as if fully set forth herein, every relevant protest ground set forth in any other Protest filed by any other Protestant regarding this application.

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THEREFORE this Protestant requests that the above-referenced application be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Alexander Rose, Executive Director
The Long Now Foundation
Fort Mason Center
Landmark Building A
San Francisco, CA 94123
Tel: (415) 561-6582

Subscribed and sworn to before me this 21 day of March, 2011.

Laura Busyard-Ulcher
Notary Public

LAURA BUSYARD-ULCHER
Commission # 1888915
Notary Public - California
San Francisco County
My Comm. Expires Jul 25, 2014

State of California

County of San Francisco

My Commission Expires: July 25, 2014

$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE - ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.