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

IN THE MATTER OF APPLICATION NUMBER 54017,

FILED BY Las Vegas Valley Water District,

ON October 17, 19 89, TO APPROPRIATE THE

WATERS OF Underground Sources

} **PROTEST**

Comes now Marcia Forman, agent for David Eldridge
Printed or typed name of protestant

whose post office address is P. O. Box 46, Baker, Nevada 89311
Street No. or P. O. Box, City, State and Zip Code

whose occupation is Ranching and protests the granting

of Application Number 54017, filed on October 17, 19 89

by the Las Vegas Valley Water District to appropriate the
Printed or typed name of applicant

waters of Underground Sources situated in White Pine
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:

Please See Attachments

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 _____
Agent or protestant

Name Marcia Forman, Agent
Printed or typed name, if agent

Address P. O. Box 150
Street No. or P. O. Box No.

Address Ely, Nevada 89301
City, State and Zip Code No.

Subscribed and sworn to before me this _____ day of July, 19 90.

Renee E. Knutson
Notary Public

RENEE E. KNUTSON
Notary Public - State of Nevada
Appointment Recorded in White Pine County
MY APPOINTMENT EXPIRES DEC. 14, 1992

State of Nevada

County of White Pine

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

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REASONS AND GROUNDS FOR PROTEST

1. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking to appropriate over 810,000 acre-feet of ground water 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 static water level in this basin, will adversely affect the quality of remaining ground water and will further threaten springs, seeds and phreatophytes which provide water and habitat critical to the survival of wildlife, grazing livestock and other surface area existing uses.

2. The appropriation of this water when added to the already approved appropriations and dedicated users in this basin will exceed the safe yield of the basin. Appropriation and use of this magnitude will lower the water table and degrade the quality of water from existing wells, cause negative hydraulic gradient influences, further cause other negative impacts and will adversely affect existing rights adverse to the public interest.

3. This Application is one of over 140 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of over 860,000 acre-feet of ground and surface water for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the county and area of origin of the water needed for its environment and economic well being and will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.

4. 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 water resource plan consideration 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.

5. The granting or approving of the subject Application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts socioeconomic impacts, and long term impacts on the water resource, threatens to prove detrimental to the public interest.

6. The above-referenced Application should be denied because the application fails to include the statutorily required:

   a. Description of proposed works;

   b. The estimated cost of such works;

   c. The estimated time required to construct the works and the estimated time required to complete the application of water to beneficial use; and

   d. The approximate number of persons to be served and the approximate future requirement.

7. In as much as a water extraction and trans-basin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further study. Accordingly, the protestant reserves the right to amend the subject protest to include such issues as they develop as a result of further study.