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

IN THE MATTER OF APPLICATION NUMBER 54023,
FILED BY Las Vegas Valley Water District
ON October 17 19 89, TO APPROPRIATE THE
WATERS OF Underground, Snake Valley

PROTEST

Comes now Eskdale Center
Printed or typed name of protestant
whose post office address is 1100 Circle Drive, Eskdale, UT 84728-9702
Street No. or P.O. Box, City, State and Zip Code
whose occupation is Agricultural Community, and protests the granting
of Application Number 54023, filed on October 17, 19 89
by Las Vegas Valley Water District to appropriate the
Printed or typed name of applicant
waters of Underground, Snake Valley 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:

1. Application number 54023 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 static water level in Snake Valley; adversely affect the quality of remaining ground water; and further threaten springs, seeps and water habitat critical to survival of valley wildlife.
SEE ATTACHMENT

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 Randell A. Faber Gen/Man
Agent or protestant
Eskdale Center
Printed or typed name, if agent
Address 1100 Circle Drive
Street No. or P.O. Box No.
Eskdale, UT 84728-9702
City, State and Zip Code No.

Subscribed and sworn to before me this 1st day of July 1990.

Anita H. Hansen
Notary Public
State of Utah
County of Millard

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

2. The granting or approval of said application would be detrimental to the welfare of the general public in that: (i) water rights in adjoining Utah communities would be affected, insomuch as a lowering of the water table affects the aforementioned communities access to their own water supply, (ii) possible contamination of deeper aquiters with upper level ground water due to lowering of the water table in nearby Utah communities, (iii) infringement upon the rights, health, and economic well being of citizens of the State of Utah without formal agreement or approval according to accepted legal proceedures.

3. With an average yearly rainfall of just six inches there is insufficient replenishment for the groundwater applied for without affecting the groundwater currently being used by both Utah and Nevada residents. The protestant being a nearby community with an agricultural support base will be severely affected economically in the event of lowering of current groundwater levels: (i) current wells have produced consistently for nearly 40 years, (ii) the cost of drilling deeper wells has increased many fold over that 40 year period, (iii) it would place unnecessary hardship on, and thereby threaten the economic survival of the protesting community if the Application mentioned above is approved.

4. Inasmuch as a water extraction and transbasin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse effects without further information and study. Accordingly, the protestant reserves the right to amend the subject protest to include such issues as they may develop as a result of further information and study.

5. 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.