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

IN THE MATTER OF APPLICATION NUMBER 54026,
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 54026, filed on October 17, 1989,
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. According to USGS studies cited in Water Related Scientific Activities of the USGS in Nevada, 1985-89, pp. 47, 48, 57 and 58, it is impossible to predict the consequenses of exporting water in such quantities. "Comprehensive studies of this aquifier system have not been made, and little appropriate data are available."

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. Fabre Gen/Mgr
(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)

ANITA H. HANSEN
Notary Public
STATE OF UTAH
My Comm. Exp. Sep. 1, 1992
250 Circle Dr., Eskdale, UT 84728

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 aquifers 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.