

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

FILED
SEP 19 1991
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 55988
FILED BY MESQUITE FARMSTEAD WATER ASSOCIATION
ON March 15 19 91, TO APPROPRIATE THE
WATERS OF BEAVER DAM WASH

PROTEST

Comes now LAS VEGAS VALLEY WATER DISTRICT
Printed or typed name of protestant

whose post office address is 3700 West Charleston Boulevard, Las Vegas, Nevada 89153
Street No. or P.O. Box, City, State and Zip Code

whose occupation is _____, and protests the granting

of Application Number 55988, filed on March 15, 1991

by MESQUITE FARMSTEAD WATER ASSOCIATION
Printed or typed name of applicant

waters of BEAVER DAM WASH situated in Washington
Underground or name of stream, lake, spring or other source

County, State of ~~Nevada~~ ^{Utah} for the following reasons and on the following grounds, to wit:

See Exhibit "A" attached hereto

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 *Ross E. de Lipkau*
Agent or protestant

Ross E. de Lipkau
Printed or typed name, if agent

Address P. O. Box 2790
Street No. or P.O. Box No.

Reno, Nevada 89505
City, State and Zip Code No.

Subscribed and sworn to before me this 18th day of September 19 91

Linda B. Eller
Notary Public

LINDA B. ELLER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
MY APPOINTMENT EXPIRES FEB. 9, 1994

State of NEVADA

County of WASHOE

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

TEJ

EXHIBIT "A"

Protestant has previously filed Applications 54077-54092, inclusive, with the Nevada State Engineer. These applications have not yet been acted upon by the Nevada State Engineer, but remain in good standing.

Applications 54077-54092, inclusive, seek to appropriate all of the unappropriated waters of the Virgin River. For the following specific reasons, the State Engineer is required, pursuant to NRS 533.370(3), to deny this application:

1. There is no unappropriated water in the proposed source of supply, being the Virgin River. Applications 54077-54092, inclusive, plus prior rights of third parties, have lawfully appropriated all of the unappropriated waters of the Virgin River.
2. The granting of this permit would seriously conflict with the prior right of Applications 54077-54092, inclusive, as they would not be satisfied, even though they have an earlier priority than this application.
3. The granting of this permit, where there is no unappropriated water and where it would conflict with the prior rights of protestant, would prove detrimental to the public interest and be a clear violation of Nevada's water law.

Based upon the foregoing, the State Engineer is mandated by law to deny this application.