

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

IN THE MATTER OF APPLICATION NUMBER 58589,
FILED BY LAS VEGAS VALLEY WATER DISTRICT,
ON MARCH 9, 1993, TO APPROPRIATE THE
WATERS OF THE MUDDY RIVER AND ITS TRIBUTARIES)

PROTEST

The Moapa Band of Paiute Indians, P.O. Box 340, Moapa, NV 89025, a federally recognized Indian tribe (Tribe), hereby protests application number 58589 filed on March 9, 1993, by the Las Vegas Valley Water District to appropriate the waters of the Muddy River and its tributaries, on the grounds that the waters are fully appropriated, and that the proposed use conflicts with existing rights, including the Tribe's prior and paramount federally reserved water rights. Although the Tribe's water rights have not yet been quantified, they are valid and enforceable. However, the State Engineer lacks jurisdiction to take any action which has the effect of determining the quantity, priority date, or any other aspect of the Tribe's federally reserved water rights in this proceeding.

The Tribe requests that the application be denied. If the application is not denied, any order or other determination should state clearly that the State Engineer lacks any jurisdiction with respect to the Tribe's federally reserved water rights, and that such order or determination is without prejudice to such rights.

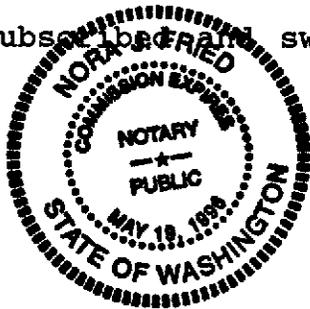
MOAPA BAND OF PAIUTE INDIANS

By

Richard M. Berley
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ZIONTZ, CHESTNUT, VARNELL,
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1993.

Subscribed and sworn to before me this 28th day of April,



[Signature]
Notary Public for the State of
Washington, residing at Kirkland
My Commission Expires: 5/19/93