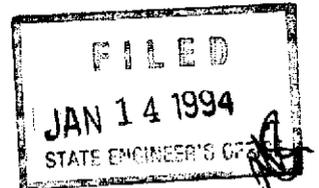


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA



IN THE MATTER OF APPLICATION NUMBER 59368

FILED BY MOAPA VALLEY WATER DISTRICT, A NEVADA CORPORATION

**PROTEST**

ON NOVEMBER 5, 1993, TO APPROPRIATE THE WATERS OF

an underground source

Comes now U.S. Department of the Interior, Bureau of Indian Affairs, Phoenix Area Office, Assistant Phoenix Area Director

Whose post office address is P.O. Box 10, Phoenix, Arizona 85001

Whose occupation is Indian Affairs, and protests the granting of

Application Number 59368 filed on November 5, 1993 by Moapa Valley Water

District to appropriate the waters of an underground source situated in Clark County, State of Nevada, for the following reasons and on the following grounds, to wit:

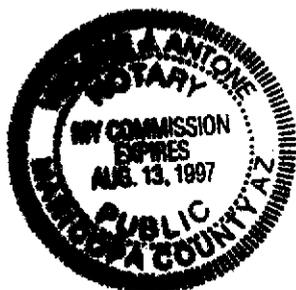
1. The water sought to be appropriated conflicts with prior and paramount reserved water rights held by the United States on behalf of the Moapa Valley Paiute Tribe.
2. Granting or approving the application could conflict with and tend to impair the value of Indian reserved water rights and adversely affect the availability of water for present and future use.
3. The cumulative impact of all the applications has not been addressed and until such time the approval and granting of any application is not in the public interest.
4. The granting or approving of this application will cause a lowering of the static water level and desecration of riparian habitats which would adversely affect wildlife and grazing livestock and likely jeopardize endangered and/or threatened species and accordingly is not in the public interest.
5. We respectfully reserve the right to submit additional evidence relevant to the points of protest and any additional matters that may affect the water rights and resources on trust lands, under the jurisdiction of the Phoenix Area Office as such evidence or information becomes available.
6. We incorporate by reference, as though fully set forth herein, and adopt as our own, each and every other protest to the aforementioned application(s) filed pursuant to NRS 533.365.

THEREFORE, the protestant requests that the application be Denied

and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Barry W. Welch  
Agent or protestant  
Barry Welch, Assistant Area Director  
Address P.O. Box 10  
Phoenix, Arizona 85001

Subscribed and sworn to before me this 7<sup>th</sup> day of January, 1994



Verlene J. Antone  
Notary Public  
State of Arizona  
County of Maricopa