

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

IN THE MATTER OF APPLICATION NUMBER 62433  
FILED BY UNITED STATES FISH & WILDLIFE SERVICE  
ON SEPTEMBER 4, 1996

FILED  
OCT 16  
STATE ENGINEER'S OFFICE



Comes now...Lincoln County Water District (LCWD)

Printed or typed name of protestant

whose post office address is..1005 Main street P.O. Box 936 Panaca, NV 89042

Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is ..Water Purveyor in Lincoln County, NV

and protests the granting

of Application Number ...62433, filed on ....September 4, 1996

by . United States Fish & Wildlife Service

to appropriate the

waters of ....Cottonwood Springs .....situated in .Pahranagat Valley, Lincoln

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:

The Protestant, Lincoln County Water District (LCWD), is protesting this application due to economic, historical custom and culture concerns raised by the community. The only studies available to support the applications are reconnaissance level studies and estimates. The appropriations that United States Fish and Wildlife Service (USFWS) are seeking are not based upon basin specific data showing spring discharge to adequately determine water availability nor has there been any biological study to determine the type and quantity of wildlife it can support. The State Engineer should require the Applicants to provide a comprehensive hydrologic study or studies showing there is enough flow available to appropriate and a comprehensive biological study or studies showing the wildlife use. Until such studies are performed there is insufficient data to determine if there is enough water to be appropriated. The USFWS has failed to address concerns brought forward by water and property right holder as well as residents of the community. Impacts associated with this spring are not known and may impact existing rights and protectable interests. The place of use for this spring under Ruling 5945-A already has over 5,900 acre-feet annually of permitted water rights held by USFWS and is covered in the Pahranagat Lake Decree. The use of wildlife water rights to the exclusion of all other uses is not in the public interest. The Protestant, Lincoln County Water District ("LCWD"), request that the subject applications be denied.

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 Waide Poulsen

Agent or protestant

WAIDE POULSEN

Printed or typed name, if agent

Address.

1005 Main Street P.O. Box 936  
Street No. or P.O. Box No.

Panaca, NV 89042  
City, State and Zip Code No.

Subscribed and sworn to before me this 7th day of October, 2015

STATE ENGINEERS  
2015 OCT 16 AM  
RECEIVED