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

FILED
AUG 28 1997
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 62996,
FILED BY Nevada Power Company,
ON April 3 19 97, TO APPROPRIATE THE
WATERS OF Clark County, Basin 216 (Garnet V.)

PROTEST

Comes now Moapa Valley Water District
Printed or typed name of protestant
whose post office address is P.O. Box 257, Logandale NV 89021
Street No. or P.O. Box, City, State and Zip Code
whose occupation is State Agency, Public Water purveyor, and protests the granting
of Application Number 62996, filed on April 3, 19 97
by Nevada Power Company to appropriate the
Printed or typed name of applicant
waters of underground sources situated in Clark
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:

See Attachment "A"

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 [signature]
Agent or protestant
Van P. Robinson, Agent for Moapa Valley Water District
Printed or typed name, if agent
Address P.O. Box 257
Street No. or P.O. Box No.
Logandale NV 89021
City, State and Zip Code No.

Subscribed and sworn to before me this 26th day of August 19 97.

Sharon M. Bayles
Notary Public

Notary Public-State Of Nevada
COUNTY OF CLARK
SHARON M. BAYLES
My Appointment Expires
September 16, 2000
No. 96-5230-1

State of Nevada
County of Clark

$25

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

2454 (Revised 6-80)

O-2035

NSR

IN THE MATTER OF APPLICATION 62996

Attachment "A"

Protested by Van P. Robinson, on behalf of Moapa Valley Water District.

The quantity of water requested by the applicant far exceeds the legal availability of water in the valley as defined by the perennial yield of the basin. The applicant has not shown that more water (in excess of the established perennial yield) is physically available. In lieu of such proof, it must be assumed that the requested quantities of water are not physically available within this basin or within other basins in which other related applications were filed by this applicant. The application should therefore, be denied.

The proposed water withdrawal, if approved, could result in impairment of senior water rights held by the Moapa Valley Water District. The District currently provides public water supplies from springs and wells situated hydraulically upgradient and downgradient of the applicant's proposed points of diversion. The magnitude of the requested diversion rate is quite large and, if permitted, the diversion has the potential to reduce the discharge rates of the District's permitted withdrawals from Baldwin and Pipeline Jones springs. The diversion, if permitted, has the potential to decrease the production capacity of the District's existing water supply wells in the Muddy Springs Area through the lowering of pumping levels. Further, the diversions could adversely impact the water chemistry of the groundwater system of the Muddy Springs Area, California Wash, and Lower Moapa Valley through the interception of subsurface recharge to these basins. The District has senior water rights in the Muddy Springs Area and in Lower Moapa Valley that could be impaired if this application is approved. The application should therefore, be denied. Should the application be approved, the permit should be issued subject to prior rights with stipulations for aquifer testing and long-term monitoring to measure the cumulative impacts of the applicants water withdrawals on a regional basis.

The proposed use of water is not in the public interest. Northeastern Clark County is faced with a shortage of potable water supplies and is hard pressed to meet existing municipal water demands and projected future growth. The diversion of such large quantities of groundwater for a lower beneficial use (industrial) would profit only Nevada Power Company and its shareholders and not the general public of Clark County or the State of Nevada. The application should therefore, be denied.