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

FILED
MAY 28 1998
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 63867

FILED BY AEROJET - GENERAL CORPORATION

ON FEBRUARY 24 1998, TO APPROPRIATE THE

WATERS OF CLARK COUNTY, BASIN 210

PROTEST

Comes now Moapa Valley Water District

whose post office address is P.O. Box 257, Logandale NV 89021

whose occupation is State Agency, Public Water Purveyor, and protests the granting of

Application Number 63867, filed on February 24, 19 98

by Aerojet - General Corporation 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"

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STATE ENGINEER'S OFFICE

Attachment "A"

The quantity of water requested by the applicant far exceeds the legal availability of water in Coyote Spring Valley as defined by the perennial yield of the basin. The applicant has not shown that the water is physically available. In lieu of such proof, it must be assumed that the requested quantity of water is not physically available within the basin. The applications should therefore be denied.

The proposed water withdrawals, if approved, could result in impairment of senior water rights held by the Moapa Valley Water District in the down gradient basin (Muddy River Springs Area, Basin 219). The District currently provides public water supplies from springs and wells situated down gradient of the applicants proposed points of diversion. The magnitude of the requested diversion rates is quite large and, if permitted, the diversions have the potential to reduce the discharge rates of the District's permitted withdrawals from Baldwin Spring and Pipeline Jones Spring (Permits #28791 and #22739, respectively). The diversions, if permitted, have the potential to decrease the production capacity of the District's existing water supply wells in the Muddy River Springs Area through the lowering of pumping levels at the MX well (Permit #46932) and the Arrow Canyon well (Permits #52520, 55450, and 58269). Further, the requested diversions could adversely impact the water chemistry of the groundwater system of the Muddy River Springs Area and the Lower Moapa Valley through the interception of subsurface recharge to these basins. The District has senior water rights in both of these areas that could be impaired if these applications are approved. The applications should, therefore, be denied.

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 demands and projected future growth. Given recent news concerning the potential sale of water rights by the applicant to junior applicants in Coyote Spring Valley, the District feels that these new applications are speculative and that the applicant may have no intention of ever applying the water to beneficial use.

The Moapa Valley Water District requests that the State Engineer hold a pre-hearing conference with regard to these applications. The District also requests that the applicant be required to provide complete documentation regarding the potential sale of water rights previously granted to them in Coyote Spring Valley to the Southern Nevada Water Authority and to their proposed purchase of water rights previously granted to Nevada Power Company, also within the Coyote Spring Basin. The District further requests that the State Engineer require the applicant to provide complete information concerning the proposed use of the water, a time table for its development, baseline monitoring data, and an evaluation of the potential impacts of the requested diversions on the District's water rights in down gradient basins.