

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

FILED
JUN 21 1999
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 64671
Lincoln County and
FILED BY Vidler Water Company, Inc.
ON December 11, 1998, TO APPROPRIATE THE
WATERS OF Underground

PROTEST

Comes now Bill Mull

whose post office address is P.O. Box 470 Panaca, Nevada 89042
Printed or typed name of protestant
Street No. or P.O. Box, City, State and Zip Code

whose occupation is Rancher, and protests the granting

of Application Number 64671, filed on December 11, 1998, 19

by Lincoln County and Vidler Water Company, Inc. to appropriate the

waters of underground situated in 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:

See Attachment

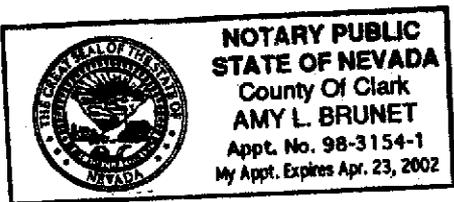
THEREFORE the protestant requests that the application be denied
(Denied, issued subject to prior rights, etc., as the case may be)

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

Signed Elmer Wheeler
Agent or protestant

Address P.O. Box 470
Street No. or P.O. Box No.
Panaca, Nevada 89042
City, State and Zip Code No.

Subscribed and sworn to before me this 15th day of June 1999



Amy L. Brunet
Notary Public
State of Nevada
County of Clark

\$25 FILING FEE

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

Grounds for Protesting

Application 64671

1. The location of the proposed point of diversion is in a crested wheat grass seeding which is part of the Protestants cattle permit.
2. The Protestant has three stock watering wells within a mile of the proposed location.
3. The Protestant has 3200 acres of private ground of which a substantial amount is sub-irrigated pasture above the proposed location. The diverting of water from an underground source at the proposed location could lower the water table to the point where the Protestants pasture would no longer be sub-irrigated.
4. The Protestant has several unrecorded vested rights for surface water within the Cave Valley area that may be irrefutably harmed by the issuance of this permit.
5. There are three springs within approximately two miles of the proposed location which the Protestant feels could in all likely hood dry up. These springs are essential for wildlife and stock water.
6. The applicant does not own the property nor have access to the land therefore the applicant will be unable to place the water to use.
7. The approval of application 64671 would adversely effect the Protestants existing cattle operation and livelihood.
8. It is fraudulent for the applicant to file for irrigation water for agricultural purposes considering they do not own any land in this area and the finally disposition of the water is questionable.