

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

FILED  
SEP 21 2000  
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 66080  
FILED BY NYE COUNTY BOARD OF COMMISSIONERS  
ON FEBRUARY 16, 2000, TO APPROPRIATE THE  
WATERS OF AN UNDERGROUND SOURCE

PROTEST

Comes now SUZANNE P. MELLINGTON

Printed or typed name of protestant

whose post office address is P.O. BOX 30307, NORTH LAS VEGAS, NV 89036-0307

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

whose occupation is ASSISTANT MANAGER, U.S. DEPARTMENT OF ENERGY/YMSCO, and protests the granting

of Application Number 66080, filed on FEBRUARY 16, 2000

by NYE COUNTY BOARD OF COMMISSIONERS to appropriate the

Printed or typed name of applicant

waters of AN UNDERGROUND SOURCE situated in NYE

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

RECEIVED  
SEP 21 2000  
STATE ENGINEER'S OFFICE  
LAS VEGAS, NV

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 *S.P. Mellington*  
Agent or protestant

SUZANNE P. MELLINGTON

Printed or typed name, if agent

Address P.O. BOX 30307

Street No. or P.O. Box No.

NORTH LAS VEGAS, NV 89036-0307

City, State and Zip Code No.

Subscribed and sworn to before me this 21 day of September, 2000

PAMELA KAY MCCANN  
NOTARY PUBLIC  
96-1608-1  
APPOINTMENT EXPIRES 2/2/04  
CLARK COUNTY  
STATE OF NEVADA

*Pamela Kay McCann*  
Notary Public

State of NEVADA

County of CLARK



\$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.  
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

**IN THE MATTER OF APPLICATION 66080**

**ATTACHMENT A**

Protest by the United States Department of Energy,  
Yucca Mountain Site Characterization Office

1. This application should not be granted until litigation is concluded regarding the U.S. Department of Energy (DOE), Yucca Mountain Project (YMP) water permit applications.
2. The proposed use conflicts with existing rights in Basin 230 and with existing senior YMP water appropriation permits in Basin 227A and Basin 229 and YMP applications currently being litigated.
3. The proposed use threatens to prove detrimental to the public interest in protecting the threatened and endangered species and critical habitats at Ash Meadow, Devils Hole and/or Death Valley. If the State Engineer determines that the Applicant's proposed use will not prove detrimental to this matter of public interest, the application should nevertheless not be approved unless the Applicant agrees to continue demonstrating that its water use is not causing such harm by implementing a regional groundwater monitoring program designed to identify the potential for and to prevent such impacts to regional water resources.