

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

IN THE MATTER OF APPLICATION NUMBER 67320
FILED BY Vidler Water Company
ON 3/12 2001, TO APPROPRIATE THE
WATERS OF basin 184



PROTEST

FILED
AUG 13 2001
STATE ENGINEER'S OFFICE

Comes now Toiyabe Chapter Sierra Club
whose post office address is PO Box 8096, Reno, NV 89507
whose occupation is _____ and protests the granting
of Application Number 67320 filed on 3/12, 2001
by Vidler Water Company to appropriate the
waters of basin 184 situated in White Pine Co.

County, State of Nevada, for the following reasons and on the following grounds, to wit:

- 1) loss of unique plant communities
- 2) extirpation of natural surface waters
- 3) loss of existing economic uses in Spring Valley
- 4) loss of future economic uses in Spring Valley
see letter of 8/12/01 attached

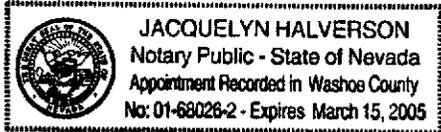
THEREFORE the Protestant requests that the application be denied
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Ellen F. Pillard
Agent or protestant
ELLEN F. PILLARD
Printed or typed name, Agent

Address PO Box 8096
Reno, NV 89507

Subscribed and sworn to before me this 13 day of August, 2001
Jacquelyn Halverson
Notary Public
State of Nevada
County of Washoe

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01 AUG 13 AM 11:43
STATE ENGINEER'S OFFICE



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

2297



The Toiyabe Chapter of the Sierra Club

Nevada and Eastern California
PO Box 8096, Reno, NV 89507

One Earth,
One Chance.

August 12, 2001

Hugh Ricci, P.E. State Engineer
Department of Conservation and Natural Resources
Division of Water Resources
123 W. Nye Lane, Room 246
Carson City, Nevada 89706-0818

Dear Mr. Ritchie:

The Toiyabe Chapter of the Sierra Club is protesting the applications 67320, 67321, 67322, and 67332 for water rights in Spring Valley.

The Sierra Club is an active membership organization with more than 4,000 members in Nevada. We lead outings for our members and the public to scenic places throughout the state including the Great Basin National Park adjacent to Spring Valley. Our members would be affected by the loss of the scenic character of Spring Valley by aggressive groundwater pumping and possible out-of-basin transfer of that water. We believe that 15 water right applications, 67319 through 67333, which propose to use a total of 46,040 acre-feet will harm the established natural plant communities of the valley and jeopardize the economic uses of ranches, farms, and nearby communities.

As you are aware, there are already pending applications for groundwater resources in Spring Valley over the existing certificated 18,835 acre-feet. The pending applications now total nearly three times the most optimistic projections of recharge (estimated between 75,000 - 104,000 acre-feet) for the Valley.

If approved, these groundwater applications would likely reduce the flow or even eliminate the many springs found in Spring Valley. Aggressive pumping of groundwater lowers the water table and would likely cause the extirpation of the unique juniper stands found in both the northern and southern part of the Valley and could affect natural meadows which depend on groundwater close to the surface.

Spring Valley is home to unique natural areas. One special designation for a little more than 1,100 acres of BLM administered public land is known as "The Cedars". The trees, Rocky Mountain juniper (*juniperus scopulorum*), occur both north and south of US 50 on an additional several thousand acres of public and private land. The Atlas of Nevada Conifers, (David Charlet, University of Nevada Press, 1996) describes the trees as "A unique population of Rocky Mountain juniper that occurs at relatively low elevations (5500-6000 ft) with *Sarcobatus* [greasewood] in Spring Valley (White Pine County) in eastern Nevada is probably an ecotype. Including these unique stands, the elevation range of the species in Nevada is 4000 ft."

The possible export of the 46,040 acre-feet of water threatens both the vegetative plant communities, recreational uses, and the existing and future economic uses of water within Spring Valley. We believe that the applications should not be granted.

Sincerely,

Ellen Pillard, Chapter Chair