

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

IN THE MATTER OF APPLICATION NUMBER 67321
FILED BY Vidler Water Company
ON March 12, 2001 TO APPROPRIATE THE
WATERS OF State of Nevada

PROTEST

FILED
AUG 13 2001
STATE ENGINEER'S OFFICE

Comes now Jane A. Murray
whose post office address is P.O. Box 150 Baker NV 89311
whose occupation is manager of gift shop and protests the granting
of Application Number 67321, filed on March 12, 2001
by Vidler Water Company
waters of underground situated in White Pine County

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

Serious adverse consequences on the economic, environmental and societal fabric of Spring Valley and White Pine County will result if this permit for the pumping of 6 c.f.s of water is granted to Vidler Water Company along with their other 14 applications in the same area. People will probably be faced with the loss of homes, ranches and the value attached to them if this massive pumping project is implemented. Unless proven otherwise, this massive exportation of water must have the effect of drying up the springs, wetlands and wells, that we, and our neighbors, rely upon for our very lives and livelihoods.

Much of the diverse plant and animal life of the valley would most probably die, resulting in a sterile dusty basin. The economic impact of this would be far reaching in terms of recreation, agriculture, and loss of tax base to an already struggling rural county.

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.

RECEIVED
01 AUG 13 AM 11:51
NAD ENGINEERING CONSULTANTS

Signed Jane A. Murray
Jane A. Murray
Address P.O. Box 150
Baker, NV 89311

Subscribed and sworn to before me this 9th day of Aug. 2001
Dorinda M. Taylor
State of NV
County of WP

JUSTICE OF PEACE
Baker Township
Baker, Nevada

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

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REASONS AND GROUNDS FOR PROTEST

1. The granting of this application, in conjunction with any other applications filed by Vidler Water Corporation in this basin, will impair, conflict and interfere with all existing water rights, sources and uses.
2. If granted, the allocation of this quantity of unappropriated waters in this ground water basin would adversely affect all agricultural operations, including but not limited to the following:
 - a. It will adversely affect the economic welfare of all farms and ranches.
 - b. It will destroy the environmental balance by eliminating the natural surface moistures and reducing the humidity levels which creates the natural growing environment of the surrounding areas, thereby destroying the grazing lands, wetlands and farm lands.
 - c. It will halt all potential economic growth.
 - d. It will destroy other agricultural operations because they will be unable to continue to operate or expand.
3. Eastern Nevada has had drought conditions for the past two- (2) years, which has created the following hardships on all cattlemen:
 - a. The grazing areas do not have sufficient feed to support the cattle.
 - b. The surface waters are insufficient for irrigation and stockwatering.
 - c. The water tables are lowering making it very difficult and expensive to pump water.
 - d. The cattlemen will have to cut their herds, which affects the economic welfare of everyone within the State of Nevada, especially the surrounding communities.

If a drought created this many hardships, the continual removal of the perennial yield by Vidler Water WILL destroy all ranching operations as well as the whole environment of each basin.

3. There are different flow systems that underlie the State of Nevada. "These flow systems link the ground water beneath many of the hydrologic basins over distances greater than 200 miles. The implications of this linkage are immense. While the water taken from a basin may be within the perennial yield of that basin, areas as far away as 200 miles may experience draw-down, and the negative impacts associated with this phenomenon (Intertech Consultants, Inc. 1990).
4. The granting or approval of the above referenced Application would be detrimental to the public interest in that it will individually and cumulatively with other applications made by Vidler Water would:
 - a. Likely jeopardize the continued existence of endangered and threatened species recognized under the Endangered Species Act and related state statutes;
 - b. Prevent or interfere with the conservation of those threatened or endangered species; and
 - c. Take or harm those endangered species; and
 - d. Interfere with the, purpose for which the federal lands are managed under Federal statutes including, but not limited to, the Federal Land Use Policy Act of 1976.
5. The State Engineer must consider all of the future environmental and socioeconomic ramifications of the trans-basin transfer of ground waters in order to protect the State of Nevada by not allowing these transfers.
6. The State Engineer has a responsibility to all of the people of Nevada and must consider all adverse affects that the granting of these applications will have on all areas in White Pine County and the State of Nevada.