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

IN THE MATTER OF APPLICATION NUMBER 67323,
FILED BY VIDLER WATER CO,
ON 3/12/01, ..., TO APPROPRIATE THE
WATERS OF STATE OF NEVADA

PROTEST

FILED
AUG 13 2001
STATE ENGINEER'S OFFICE

Comes now TONIA HARVEY
(Printed or typed name of protestant)
whose post office address is P.O. BOX 140 BAKER, NV 89311
(Street No. or P.O. Box, City, State and Zip Code)
whose occupation is GREAT BASIN NATL PARK CONCESSIONER, and protests the granting
of Application Number 67323, filed on 3/12/01, ...,
by VIDLER WATER CO. (Printed or typed name of applicant) to appropriate the
waters of UNDERGROUND (Underground or name of stream, lake, spring or other source) 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 6.0 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
(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 Tonia U. Harvey
(Agent or protestant)

(Printed or typed name, if agent)

Address P.O. BOX 140
(Street No. or P.O. Box No.)
BAKER, NV 89311
(City, State and Zip Code No.)

Subscribed and sworn to before me this 8th day of Aug., 2001

JUSTICE OF PEACE
Baker Township
Baker, Nevada

Teresa M. Taylor
(Notary Public)

State of NV

County of WP

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

8/8/01

I, Peter Ford, support the application of Tonia Harvey regarding the denial of application # 67323, filed by Vidler Water Co on 3/12/01.

signed: Peter Ford
Baker, NV
89311-0140

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 stockwaterlng.

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 a11 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.

Reasons and Grounds for Protest, continued

Along with the foregoing reasons, this application should be denied on the grounds that although Vidler Water Company, Inc. has applied for this water for agriculture and domestic use, their website very clearly states that "Vidler acquires strategic water assets, converts them from agricultural to urban uses, and creates long-term revenue though Leases or sales agreements.", and "....profitable opportunities for matching under-utilized agricultural water supplies with thirsty municipal and industrial end-users." (See attached print-out of that website.)

1. Since Vidler Water has stated they will not be using water they acquire for agriculture and they have not applied for municipal or industrial uses this application should be denied.
2. The water applied for in this one application would support a community of over 10,000 households. All of their applications in the basin, a total of 79.2 cu. Ft./sec. would support over 140,000 households.
3. The amount of water applied for far exceeds the agriculture duty of 4-acre ft per acre allotted in the Spring Valley water basin.
4. Considering the surface rights Vidler already controls in Spring Valley they will far exceed their needs for agriculture and domestic water use on the ground that they do own.

Vidler Water Company, a lead entrant in the emerging privitization of the water industry, develops permanent, reliable water supplies in the southwestern United States. With a singular focus on the development of water rights and underground water storage, Vidler acquires strategic water assets, converts them from agricultural to urban uses, and creates long-term revenue through leases or sales agreements.

Vidler's staff of experienced professionals has the talent and expertise to negotiate the intricate, time-consuming demands of the water industry. Assets are purchased at prices approximating intrinsic value, minimizing downside investment risk while maximizing upside potential.

Vidler has established an impressive and expanding portfolio of water assets throughout the Colorado River Watershed and surrounding areas, where inefficient allocation has created profitable opportunities for matching under-utilized agricultural water supplies with thirsty municipal and industrial end-users.

FEATURES

- Vidler Water Company Agrees to Acquire 185,000 Acre-Feet of Underground Water Storage in California Along the State Water Project
  Company Press Release, 11/11/98

- Letter to Shareholders
  Dorothy A. Timian-Palmer, P.E., Chief Operating Officer

- Overview and Analysis of the Water Business in the Southwestern United States
  Marc Reisner, author of Cadillac Desert and Overtapped Oasis

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Member:
Colorado River Water Users Association (CRWUA)
National Association of Water Companies (NAWC)
American Water Resources Association (AWRA)
American Water Works Association
Summit County, CO Chamber of Commerce
Parker Area, AZ Chamber of Commerce
McMillen Valley, AZ Chamber of Commerce

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