

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

FILED
AUG 13 2001
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 67331
FILED BY Friends of NV Wilderness
ON August 10, 2001 TO APPROPRIATE THE
WATERS OF Underground - McCoy 2

PROTEST

Comes now Friends of Nevada Wilderness

whose post office address is PO Box 9754, Reno, NV 89507

whose occupation is Conservation Group in Nevada and protests the granting

of Application Number 67331 filed on June 6, 2001

by Vidler Water Company, Inc to appropriate the

waters of Underground - McCoy 2 situated in Sec 12, T17N, R66E

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

Refer to attached reasons

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 Sharon Netherton
Agent or protestant

Sharon Netherton
Printed or typed name, if agent

Address PO Box 9754,
Street No. or P.O. Box No.

Reno, NV 89507
City, State and Zip Code No.

RECEIVED
AUG 13 AM 11:33
STATE ENGINEER'S OFFICE

Subscribed and sworn to before me this 11th day of August, 2001.

Michele Keely
Notary Public

State of Nevada

County of Washoe

NOTARY PUBLIC
STATE OF NEVADA
County Of Washoe
MICHELE KEELY
Appt. No. 98-4532-2
My Appt. Expires Aug. 27, 2002

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

Protest rationale filed by
Friends of Nevada Wilderness
August 10, 2001

Application Number 67331
Vidler Water Company, application filed on June 6, 2001

Friends of Nevada Wilderness, protests the filing for appropriation of additional waters in Spring Valley by Vidler Water Company for the following reasons:

The utilization of additional waters by Vidler, for agriculture or other uses could result in the reduction of the water table in Spring Valley and reduce the flow of surface springs and waters in the Schell Creek Range as well as in the valley. Both the Schell Creek Range and Spring Valley are important sites for numerous wildlife who depend on the water resources in the area. Spring Valley contains numerous wetlands that provide critical wildlife habitat. A reduction of these wetlands would be a violation of Federal Policy requiring no net loss of wetlands.

Special values occurring in Spring Valley may also be affected. The BLM manages a special area, The Swamp Cedar Instant Study Area in Spring Valley. This special area consists of a small remnant stand of swamp cedars (Rocky Mountain Junipers) that still cling to this site of its historic habitat because the water table is still adequate to maintain their existence.

Friends of Nevada also recognizes the potential economic impacts to existing ranchers in the valley should their water supply be adversely impacted due to the proposed additional water withdrawals by Vidler.

Spring Valley is in a delicate ecologic balance and should this be disrupted, by Vidler's additional water use, wildlife, ranchers and other special values would be compromised. The application by Vidler Water Company should be denied.

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U.S. DEPARTMENT OF THE INTERIOR