

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

FILED  
SEP 25 2001  
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 67687,  
FILED BY Robert C. & Vivian Lewis 1990 Family Trust  
ON June 19, 2001, TO APPROPRIATE THE  
WATERS OF an underground source  
PROTEST

Comes now U.S. Department of Interior, Bureau of Land Management  
Printed or typed name of protestant  
whose post office address is 4765 Vegas Drive; Las Vegas, Nevada 89108  
Street No. or P.O. Box, City, State and Zip Code  
whose occupation is a land management agency, and protests the granting  
of Application Number 67687, filed on June 19, 2001, 19  
by Robert C. & Vivian Lewis 1990 Family Trust of Overton, Nevada  
Printed or typed name of applicant  
waters of an underground source situated in Clark  
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 ATTACHED SHEET

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 Mark T. Morse  
Agent or protestant  
Mark T. Morse  
Printed or typed name, if agent  
Address 4765 Vegas Drive  
Street No. or P.O. Box No.  
Las Vegas, Nevada 89108  
City, State and Zip Code No.

Subscribed and sworn to before me this 24<sup>th</sup> day of September 2001

Carol A. McDermott  
Notary Public  
State of Nevada  
County of Clark

Notary Public-State Of Nevada  
COUNTY OF CLARK  
CAROLA McDERMOTT  
My Appointment Expires  
September 16, 2002  
No. 94-4995-1

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.  
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

The U.S. Department of the Interior, Bureau of Land Management (BLM) protests the granting of the subject application for the following reasons and on the following grounds, to wit:

The proposed water diversion location is on public land administered by the BLM. Robert C. & Vivian Lewis 1990 Family Trust of Overton, Nevada currently have no authorization nor have they applied for any authorization for the reuse of underground water located upon the public lands (BLM has protested application numbers 66976-66999). Also, there is no authorization to place the water, to the beneficial use (Irrigation) and divert water across public land administered by the BLM.

BLM is directed to implement water rights policy by: 1) "cooperating with the State Governments under the umbrella of State Law to protect water uses identified for the public land management purposes", and 2) "to comply with the applicable state laws except as specifically mandated by Congress". The purposes mandated by Congress are defined by the Federal Land Management Policy Act (FLPMA) and includes "multiple use" which is defined as "...the management of public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people". Uses associated with multiple use include but are not limited to "recreation, range, wildlife, minerals, watershed and fish...". The Wild Horse and Burro Act, FLPMA, and the National Environmental Policy Act (NEPA) also recognize free wild horses and burros as resource uses under BLM management responsibility. Any application to the State Engineer of Nevada for a water permit, on BLM land, that interferes with the capability of the agency to provide water for the afore stated uses, within the legislated responsibilities of the agency, will be protested.

Within Basin 205 (Lower Meadow Valley Wash), the Meadow Valley Wash as well as springs and wells are located on public land administered by the BLM that could be impacted by the granting of this application. The name and location of the water resources, currently known to be located within the vicinity on public land administered by the BLM can be obtained by contacting the Las Vegas Field Office.

Currently, there is insufficient information to ascertain the actual impact to the various resources for which the BLM has management responsibility. Neither the Nevada State Engineer nor the applicant has prepared an analysis of all anticipated impacts associated with this filing. Until sufficient data is gathered and analysis performed, the extent of the impacts resulting from this water withdrawal, as well as, the cumulative impacts of the other proposed withdrawals can not be realized.

Because of the lack of authorization on public land administered by the BLM, and potential impacts discussed above and those not identifiable at this time, the BLM protests the granting of this water right application..

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