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

IN THE MATTER OF APPLICATION NUMBER.....69881.....,

FILED BY.....BEVERLY JOAN JACOB.....,

ON.....AUGUST 11....., 2003...., TO APPROPRIATE THE

WATERS OF .UNDERGROUND FLOWS IN BASIN 182.....

} PROTEST

FILED
NOV 06 2003
STATE ENGINEER'S OFFICE

Comes now.....U.S. Fish and Wildlife Service.....
Printed or typed name of protestant

whose post office address is.....911 N.E. 11th Ave., Portland, OR, 97232-4181.....
Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is .....Agency of the Federal Government..... and protests the granting

of Application Number .....69881....., filed on .....August 11....., 2003.....

by .....Beverly Joan Jacob.....to appropriate the

waters of .....Underground.....situated in .....Basin 182.....
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:

..... This protest applies to 1 of 16 applications proposing to divert a combined total of approximately 27,627 cfs from Basins 181 and 182. The proposed diversion rate is almost twice the average annual discharge of the Colorado River below Hoover Dam. The FWS questions whether the basins' underground aquifers could support a diversion rate of 27,627 cfs without affecting existing and pending permits. Before approving the 16 applications, the potential impacts of the proposed diversion on other allocated uses and springs at Pahranagat and Moapa National Wildlife Refuges need to be evaluated.

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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 .....Tim Mayer.....
Agent for protestant

.....Tim Mayer, Agent for USFWS.....
Printed or typed name, if agent

Address.....911 N.E. 11th Avenue.....
Street No. or P.O. Box No.

.....Portland, OR 97232-4181.....
City, State and Zip Code No.

Subscribed and sworn to before me this ...4th.....day of.....November....., 2003.....

.....Cathy Bernhardt.....
Notary Public

OFFICIAL SEAL
CATHY BERNHARDT
NOTARY PUBLIC-OREGON
COMMISSION NO. 339480
MY COMMISSION EXPIRES OCT. 18, 2004

State of.....Oregon.....

County of .....Multnomah.....

+ $25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.