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

In the matter of Application Number **71168**

FILED BY THE SOUTHERN NEVADA WATER AUTHORITY, ON **MAY 6, 2004**, TO APPROPRIATE THE WATERS OF **UNDERGROUND**

PROTEST

FILED
AUG 19 2004
STATE ENGINEER'S OFFICE

Comes now **Brauer Living Trust.**
whose post office address is...**BOX 269, INDIAN SPRINGS, NV 89018**.
whose occupation is **a trust** and protests the granting of Application Number **71168**, filed on **May 6, 2004** by **The Southern Nevada Water Authority** to appropriate the waters of **underground** situated in **Clark** County, State of Nevada, for the following reasons and on the following grounds, to wit:

We protest Southern Nevada Water Authority's (SNWA) Application # 71168, and associated applications (#71167 through#71173 inclusive), and requests that the Nevada State Engineer deny this and the associated applications without further consideration or hearing.

According to information contained in the files of the Nevada Division of Water Resources, there is no groundwater available for appropriation in Basin 161. Existing senior water rights exceed the currently accepted perennial yield of this basin, which the State Engineer has declared is already over-allocated.

Many senior water rights and domestic wells in Indian Springs depend on return flow from the Springs (for which the community is named) which may be adversely affected by the amount of water SNWA proposes to remove from the basin. In addition to these seven applications, SNWA currently has applications (not acted on, as of this date) for groundwater at proposed sites in Tickapoo and Three Lakes Valleys, two of which would be less than 3 miles east of our land in the town of Indian Springs. These areas, including the flow through Indian Springs, are all in the same Death Valley Flow System. Our senior water rights and well, as well as those of our neighbors and the surrounding community, may be adversely affected by decline in water availability, quality, and increased costs. Unlike the Las Vegas area, groundwater is our sole reliable supply of water.

If granted, these SNWA applications may adversely affect the public interest of our community and the region as well. Any and all resulting environmental degradation such as—but not limited to—damage to the flow of the various Springs, loss of species, loss of habitat, decreased hunting, decreased diversity, increased desertification, and/or increased dust pollution is not in the public interest. Negative social and economic consequences such as loss of long established lifestyle choice, loss of historical continuity, and/or increase in economic hardships for the current inhabitants and land owners is not in the public interest. If granted, these applications may adversely affect the public interest by fueling further unsupportable growth in southern Nevada, at the expense of rural and small town areas, and with degradation of the quality of life in urban/suburban areas as well.

The protestant reserves the right to amend the subject protest to include such issues as they may develop as a result of further information and study.

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.

Signed Ann Brauer, Trustee
Agent or protestant

Ann Brauer, Trustee
Brauer Living Trust
Box 269
Indian Springs, NV 89018

Subscribed and sworn to before me this 19 day of August, 2004

NOTARY PUBLIC
County of Clark-State of Nevada
DOROTHY M. BOBO
No. 93-0151-1
Expires June 24, 2005

Dorothy M. Bobo
Notary Public

State of Nevada

County of Clark

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