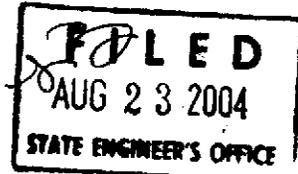


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 71169
FILED BY SOUTHERN NEVADA WATER AUTHORITY
ON MAY 6, 2004, TO APPROPRIATE THE
WATERS OF UNDERGROUND

PROTEST



Comes now W. H. DE WITT, EXECUTOR FOR ESTATE OF D. E. DE WITT

Printed or typed name of protestant

whose post office address is P.O. BOX 10 AMARGOSA VALLEY, NEVADA 89020

Street No. or P.O. Box, City, State and Zip Code

whose occupation is FARMER - DEVELOPER, and protests the granting

of Application Number 71169, filed on MAY 6, 2004

by SOUTHERN NEVADA WATER AUTHORITY to appropriate the

Printed or typed name of applicant

waters of UNDERGROUND 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 PAGE

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 *William H. De Witt, Executor*
Agent or protestant

Printed or typed name, if agent
Address P.O. BOX 10
Street No. or P.O. Box No.
AMARGOSA VALLEY, NEVADA 89020
City, State and Zip Code No.

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



[Signature]
Notary Public
State of California
County of Los Angeles

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

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As is fairly clearly demonstrated in the report "Potentiometric Surface, Carbonate-Rock Province, Southern Nevada and Southeastern California, 1998-2000" (prepared by the U.S. Geological Survey in cooperation with the Nevada Division of Water Resources) and associated maps and charts, the measured altitude of ground water – the level to which water will rise in a well – ^{is} considerably higher in the area for which application has been made than it is in the farmland of Amargosa Valley.

Our family has been farming alfalfa in Amargosa Valley for more than a decade, feeding dairy animals that provide milk for Las Vegas, feeding horses all over Nye County and into California, and providing feed also for the mule trains at Furnace Creek in Death Valley National Monument. We are proud American farmers.

If these permits are granted, our water supply will be directly threatened.

Study after study has shown that not enough water will come into the aquifer each year to recharge the water drawn off by the uses that have been applied for.

If the water level in the aquifer drops, we – and countless other farmers in the region – will be faced with stark choices: To spend tens of thousands of dollars drilling deeper wells, raising the cost of electricity used to pump water to the surface and thereby raising the cost of milk and dairy goods in Nevada, or sitting and watching in horror as our farms turn to dust.

We strongly urge that the application be denied.

We request to be notified of any public hearing in order to provide additional testimony regarding this application. Notification should be mailed to, P. O. Box 10, Amargosa Valley, Nevada 89020 or faxed to (775) 372-5356. If you have any questions, please call (775) 372-5355.