

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

In the matter of Application Number **71444**

PROTEST

FILED BY Sari Fisher ON July 12, 2004,
TO APPROPRIATE THE WATERS OF spring



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 71444, filed
on July 12, 2004 by Sari Fisher to appropriate the waters of SPRING situated in Clark County, State
of Nevada, for the following reasons and on the following grounds, to wit:

We support the maintenance of the historic status quo with regard to use of Indian Springs (The Springs), with
rights to these waters granted to the owner(s) of the property on which this naturally spring occurs. It is vital to
the public interest that these waters NOT be removed from the community area. The Spring gives the community
its life and even its name. Two ponds, formed by these waters have contributed to the nature of the community, to
recreation for many generations, to habitat essential for migratory and resident birds, to trees that make this
parched area home, to the groundwater essential to the people living here and their activities.

Problems arise with the export of these spring waters, which are made more complex when coupled with the
numerous applications to take much or all of the groundwater in this area and adjacent to this community.
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.

Our senior water rights, those of others, and many domestic wells in Indian Springs depend on flow from The
Springs which may be adversely affected by the amount of water proposed for removal from the basin. These
senior water rights and domestic wells, down-slope from The Springs would be adversely affected by decline in
water availability, quality, and increased costs. Some long-time local residents tell of the spring flow being
diverted for highway construction, and the subsequent drying up of some wells.

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, increased ambient temperatures, 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 Indian Springs residents and property owners is not in the public interest.

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, passage of time and/or changes in the application.

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.

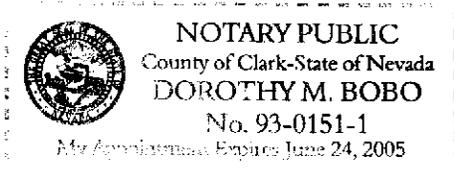
Ann Brauer, Trustee Signed
.....
Agent or protestant
Ann Brauer, Trustee
Brauer Living Trust
Box 269
Indian Springs, NV 89018

Subscribed and sworn to before me this 15 day of September, 2004
Dorothy M. Bobo

Notary Public

State of Nevada

County of Clark



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