

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

IN THE MATTER OF APPLICATION NUMBER 71724  
FILED BY Lincoln County & Vidler Water Co. Inc.  
ON 22 September 20 04 TO APPROPRIATE THE  
WATERS OF underground



PROTEST



Comes now Wayne Lister, Ruby Lister and Bevan Lister  
Printed or typed name of protestant  
whose post office address is P O Box 402, Pioche, Nevada 89043  
Street No. Or P.O. Box, City, State and Zip Code  
whose occupation is farmers and protests the granting  
of Application Number 71724, filed on 22 September, 20 04  
by Lincoln County and Vidler Water Co., Inc. to appropriate the  
waters of underground situated in Lincoln  
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:

1. Lincoln County Commissioners have never taken action in open meeting to approve either the applications or the change in use. We feel these applications cannot be considered municipal government applications. Use for irrigation has never been granted nor made. County has no use for agricultural water so we feel the initial application was fraudulent or merely speculative.
2. (continued on page two)

THEREFORE the Protestant requests that the application be denied  
Denied, rescind 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.

Wayne Lister Ruby Lister Bevan Lister  
Wayne Lister Ruby Lister Bevan Lister  
Printed or typed name, Agent  
Address P O Box 402  
Street No. or P.O. Box No.  
Pioche, Nevada 89043  
City, State and Zip Code No.

Subscribed and sworn to before me this 15 day of March, 20 05  
Teresa M Seevers  
Notary Public  
State of Nevada  
County of Lincoln



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

*Handwritten initials*

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

**PROTEST IN THE MATTER OF APPLICATION NUMBER 71724**

**Protested by:** *WL* Wayne Lister, *RL* Ruby Lister and *BL* Bevan Lister

**PAGE TWO:**

2. Because of the Lincoln County/Vidler partnership we feel that Lincoln County and the people of the state are not being represented. We feel the Lincoln County/Vidler partnership creates a conflict of interest wherein Lincoln County Commissioners no longer represent the people of Lincoln County. We rely on the office of the State Engineer to represent and protect the people of Lincoln County.
3. It has to be noted that the Lincoln County/Vidler business relationship has been determined to be illegal, see Attorney General Opinion no. 2002-15. How can you issue water permits to an illegal entity?
4. We have long argued that moving water from one basin to another is detrimental to the originating basin.
5. Because the process requires granting original applications before granting changes, if the original application were fraudulent or speculative then it should be denied which would in effect deny the change.
6. Lincoln County has no written, adopted plan for the use of the water applied for under these permits. Therefore there is no justification for granting the permits.