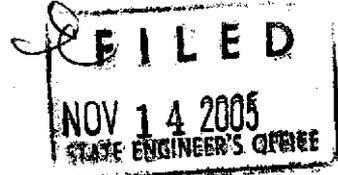


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER.....72943.....
FILED BY...LINCOLN COUNTY WATER DISTRICT AND VIDLER
WATER COMPANY.....
ON...17TH DAY OF JUNE....., 2005....., TO
APPROPRIATE THE WATERS OF...STATE OF NEVADA.....



PROTEST



Comes now the United States Department of Interior, Bureau of Land Management, whose post office address is 702 N. Industrial Way, HC 33 Box 33500 Ely, NV 89301 and whose occupation is public land management, to protest the granting of Application Number 72943, filed on June 17, 2005 by Lincoln County Water District and Vidler Water Company. to appropriate the waters of an underground source situated in SW1/4 NE1/4 Section 11, T1S, R56E MDB&M or at a point from which the SE corner of Section 34, T1N, R55E, MDM, bears N 76 deg., 39min, 1 sec, W a distance of 37,262 ft (16.5 miles NNE of Rachel, NV)., Lincoln County, State of Nevada, for the following reasons and on the following grounds, to wit See attached

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
Stephanie A Connolly
Agent or protestant

Stephanie A Connolly, Acting AFM Renewable Resources
HC 33 Box 33500
Ely, Nevada 89301

Subscribed and sworn to before me this *17th* day of *November*, 20*05*



.....
Alicia Hankins
Notary Public
State of *Nevada*
County of *White Pine*

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

rl



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office
HC 33 Box 33500
Ely, Nevada 89301-9408



ATTACHMENT FOR PROTEST OF APPLICATION 72943

1. The carbonate wells are located in remote areas, so pipelines and related infrastructure would need to be constructed across public lands administered by the BLM to transport water to unspecified points of use at great distance from the specified points of diversion. The applicant also has not been granted or made application for Rights of Ways needed to construct and maintain such pipelines across public lands in these areas.
2. The applications indicate water will be used for municipal and domestic purposes, but there are no municipalities or communities of significant population in the vicinity of the specified points of diversion. It is highly unlikely that the relatively large cumulative total volume of water requested under these applications could be put to the stated beneficial use within a reasonable amount of time as required under State of Nevada water law because of the small population base in the vicinity of the specified points of diversion and adjacent areas.
3. Groundwater discharged from the aquifer systems sustains local riparian and aquatic habitats at springs and seeps on public lands. These habitats support large numbers of diverse plant and animal species and are popular recreational areas for many Nevadans and visitors. Pumping of large volumes of ground water as proposed under the subject applications will drawdown water tables, remove water from aquifer storage, and capture natural discharge that occurs at springs and seeps. Reduced groundwater discharge at springs and seeps will degrade riparian and aquatic habitats in these areas and impair BLM's ability to manage natural resources on public lands as mandated under the Federal Public Lands Management Act.