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

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STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 77520,
FILED BY SNWA,
ON Oct. 21, 20 08, TO APPROPRIATE THE
WATERS OF White Pine Co.

PROTEST

Comes now Nevada Department of Wildlife
(Printed or typed name of protestant)
whose post office address is 60 Youth Center Rd., Elko, NV 89801
(Street No. Or P.O. Box, City, State and Zip Code)
whose occupation is Wildlife & fish resource conservation and protests the granting
of Application Number 77520, filed on Oct. 21, 20 08
by Southern Nevada Water Authority (SNWA) to appropriate the
waters of underground source situated in White Pine Co.
(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:

Use or diversion of waters which fund the Shoshone Pond artesian complex could negatively affect 2 species of native fish one of which is endangered (Pahrump pool fish) and the other which is listed as State sensitive (relict dace). Additionally, NDOW and BLM maintain existing water rights at Shoshone Pond to benefit these two fish species. SNWA has filed on top of these existing rights.

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 Stephen J. Foree
(Agent or Protestant)
Stephen J. Foree
(Printed or typed name, if agent)
Address 60 Youth Center Rd.
(Street No. or P.O. Box No.)
Elko, NV 89801
(City, State and Zip Code No.)

Subscribed and sworn to before me this 17 day of December, 20 08.
Darjan M. Kerr
(Notary Public)

DARJAN M. KERR
Notary Public - State of Nevada
Appointment Recorded in Elko County
No: 97-2679-6 - Expires July 25, 2009

State of NEVADA
County of ELKO

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