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

IN THE MATTER OF APPLICATION NUMBER 79268
FILED BY Southern Nevada Water Authority
ON January 28, 20 10, TO APPROPRIATE THE
WATERS OF underground Snake Valley

PROTEST

FILED
APR 14 2010
STATE ENGINEER'S OFFICE

Comes now CECIL C. GARLAND, JR. 1996 TRUST
Printed or typed name of protestant

whose post office address is Callao Rt. Box 225 Wendover, Utah 84083
Street No. or PO Box, City, State and ZIP Code

whose occupation is family lands trust in Snake Valley and protests the granting

of Application Number 79268, filed on January 28, 20 10

by Southern Nevada Water Authority to appropriate the

waters of underground Snake Valley situated in White Pine
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:

Please see the attached

RECEIVED
2010 APR 14 PM 12:55
STATE ENGINEERS OFFICE

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
Agent or protestant

Cecil C. Garland Jr.- Trustee of CECIL C. GARLAND JR. 1996 TRUST
Printed or typed name, if agent

Address Callao Rt. Box 225
Street No. or PO Box

Wendover, Utah 84083
City, State and ZIP Code

435-693-3132
Phone Number

BETH B. ANDERSON
NOTARY PUBLIC • STATE of UTAH
290 PONY EXPRESS RD HC 64
CALLAO, UT 84083
COMM. EXP. 2-9-2011

Subscribed and sworn to before me this 8 day of April, 20 10

Notary Public

State of Utah

County of Juab

+ $25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

ATTACTMENT TO PROTEST OF
CECIL C. GARLAND, JR. 1996 TRUST
AGAINST APPLICATION NO. 79268,
FILED JANUARY 28, 2010,
BY SOUTHERN NEVADA WATER AUTHORITY

This attachment lists and briefly describes the reasons and grounds for this protest of The CECIL C. GARLAND, JR. 1996 TRUST against Application Number 79268. The Southern Nevada Water Authority ("SNWA" or "Applicant") has filed this application to appropriate groundwater from Snake Valley as part of its proposed network of wells and pipelines stretching across eastern Nevada from Clark County through Lincoln County and into White Pine County (the "Pipeline Project").

1. **There is no surplus water in Snake Valley**. Additional pumping would certainly exacerbate the existing water deficit we are presently experiencing. The Snake Valley aquifer is finite. All available water is being used by prior water rights holders or is water that is necessary to sustain the integrity of the basin as a whole. Snake Valley groundwater table is dropping. Many or most of the springs and seeps here on the valley floor and in the foothills of the Snake Range are greatly reduced in flow from their previous volumes or do not flow at all. Most of the water-dependent biota is under severe stress with large areas of the key species, greasewood, either dead or dying.
2. **No inter-basin transfer of water from Snake Valley should occur**. It is fundamentally wrong to take water from one basin to another. Inter-basin transfers are often controversial due to their size, their costs, and their environmental impacts. This transfer would have significant environmental impacts on Snake Valley's aquatic ecosystem. The wetlands, seeps, and springs in Snake Valley are dependent on a water system that the BARCASS says is in equilibrium. Because of the existing pumping and the drought, we are already beginning to see the effects of an unbalanced water system.
3. **This proposal would harm existing water rights.** The proposed exportation would conflict with the existing water rights of the citizens of Snake Valley who are currently using water for domestic, ranch productions, and stock and wildlife uses.
4. **Exportation of water under this application would harm wildlife and its habitat.** Snake Valley is home numerous and varied species of wildlife. Some such as the Spotted Frog and the Least Chub need special protection. If not one person lived in Snake Valley, it would be wrong to take the water and harm the environment for the wildlife.
5. **Withdrawal of water would destroy the phreatophyte vegetation.** Because of the drought conditions that already exist in Snake Valley, any exportation of water would destroy the phreatophyte vegetation which is holding the soil in place. If this vegetation dies and noxious weeds invade, the top soil disappears and dust storms would occur.

6. **The aesthetic values of Snake Valley would be destroyed.** Snake Valley is a beautiful Great Basin valley treasured not only as our home, but also for its recreational values of hiking, camping, hunting, and fishing.
7. **Snake Valley's water quality would be degraded.** Large exportations of water would likely decrease the quality of our water supply. Reverse flow of brackish water from the Great Salt Lake would be a very real possibility starting in the northern end of the valley.
8. **Fish Springs Wildlife Refuge could be harmed from this proposed water exportation.** Fish Springs Wildlife Refuge's springs are feed from the Carbonate Aquifer and with some water rights from the Snake Valley alluvial aquifer. Any withdrawal could upset this balanced habitat.
9. **Exportation would cause the loss of public lands grazing and forage.** Public lands in Snake Valley are used by many ranchers to supplement their cattle and sheep operation.
10. **This proposed water exportation would also harm and limit future growth of Snake Valley.** Water is the all-important necessity to economic growth. If water were to be withdrawn and transported to Southern Nevada from Snake Valley, that water would be totally consumptive. It would take hundreds or even thousands of years to be renewed if it was renewed at all.
11. **This is not a long-term answer to Southern Nevada's water needs**. The Snake Valley aquifer is a finite source of water. Southern Nevada would have to find new sources of water after they have depleted Snake Valley's supply. They should look to other sources that will supply them for a longer period of time. Desalination is clearly the process that Southern Nevada Water Authority should be adopting.
12. **This water project is an expensive project**. The economic downturn, the problems in the housing market, and the price tag for this project all indicate that this project is too expensive. It may even be doubtfully that Southern Nevada Water Authority can get financial backing, which would put the burden of this project on the backs of the taxpayers for many years to come.
13. **THE CECIL C. GARLAND, JR. 1996 TRUST** reserves the right to amend this protest to include issues as they develop and incorporates other protests to Southern Nevada Water Authority's application by reference.