

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, 2010, TO APPROPRIATE THE
WATERS OF UG/MUN, Snake Creek, Snake Valley



FILED
APR 14 2010
STATE ENGINEER'S OFFICE

PROTEST

Comes now Delaine Spilsbury
Printed or typed name of protestant

whose post office address is P O Box 1055, Mc Gill NV 89318
Street No. or PO Box, City, State and ZIP Code

whose occupation is retired /self employed and protests the granting

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

by Southern Nevada Water Authority to appropriate the

waters of UG/MUN, Snake Creek, 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:

Ancestors of the Native Newe (Western Shoshone) people established prehistoric Garrison village at this site. They diverted Snake Creek for irrigating huge fields that were planted from the village to the mountains. Many sacred ceremonies including but not limited to: planting, harvesting, hunting, gathering and burials, were held here. Shoshone Burial Cave is also in this area. Construction of the pipeline would destroy both of these Historical Sacred Sites.

SEE ATTACHED FOR ADDITIONAL REASONS AND GROUNDS

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 Delaine Spilsbury
Agent or protestant
Delaine Spilsbury for all Great Basin Shoshone
Printed or typed name, if agent

Address P O Box 1055
Street No. or PO Box
McGill NV 89318
City, State and ZIP Code
775-235-7557
Phone Number

Subscribed and sworn to before me this 12th day of April, 20 10

SANDRA GARCIA
NOTARY PUBLIC - STATE OF NEVADA
White Pine County - Nevada
CERTIFICATE # 03-79523-17
APPT. EXP. JANUARY 13, 2011

Sandra Garcia
Notary Public
State of Nevada
County of White Pine

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

**ATTACHMENT TO PROTEST OF Delaine Spilsbury AGAINST
APPLICATION NO. 79268, FILED January 28, 2010,
BY THE SOUTHERN NEVADA WATER AUTHORITY**

This attachment lists and briefly describes the reasons and grounds for this protest of Delaine Spilsbury ("Protestant") against Application Number 79268. The Southern Nevada Water Authority ("SNWA" or "Applicant") has filed this Application to appropriate groundwater from Basin 195 as part of its massive 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 insufficient water available in the proposed source of supply.
 - 2. The application and proposed use would conflict with existing water rights and protectable interests in domestic and/or ranch production and/or municipal wells.
 - 3. The appropriation and export of water proposed in this application would be detrimental to the public interest on environmental grounds and would be environmentally unsound as it relates to the proposed export basin:
 - Harm to wildlife and wildlife habitat:
 - Degradation of air quality:
 - Destruction of recreational and aesthetic values:
 - Degradation of water quality:
 - Degradation of cultural resources:
 - Harm to state parks and state and federal wildlife refuges
 - Harm to the Great Basin National Park including water, air, ecosystem, view shed, resources
 - 4. The appropriation and export of water proposed in this application would be detrimental to the public interest on economic grounds and would unduly limit future growth and development in the basin from which the export is proposed:
 - Undue limitation of future economic activity and growth in the basin of origin:
 - Undue economic harm will extend to the economies and communities of downgradient hydrologically connected and downwind basins.
 - Loss of public lands grazing and forage
 - 5. The proposed action is not an appropriate long-term use of Nevada's water:
 - 6. The Applicant has not justified the need to import water from another basin:
 - 7. The Applicant has not implemented a sufficient conservation plan.
 - 8. The Applicant has not demonstrated the good faith intent or financial ability and reasonable expectation to actually construct the work and apply the water to the intended beneficial use with reasonable diligence.
 - Changed circumstances, uncertain intent, doubtful financing:
 - Failure to demonstrate ability to access land containing point of diversion.
 - 9. Protestant reserves the right to amend this protest to include issues as they develop.
 - 10. Protestant incorporates other protests to SNWA's applications by reference.
- ADDITIONAL REASONS AND GROUNDS ON NEXT PAGE ⇨⇨⇨⇨⇨⇨