

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

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FILED  
12 APR 2010  
STATE ENGINEER'S OFFICE  
PROTEST

IN THE MATTER OF APPLICATION NUMBER 79272  
FILED BY Southern Nevada Water Authority  
ON January 28, 2010, TO APPROPRIATE THE  
WATERS OF Snake Valley - Underground

Comes now Dean Baker

whose post office address is PO Box 10 Baker Nevada 89311  
Printed or typed name of protestant  
Street No. or PO Box, City, State and ZIP Code

whose occupation is Rancher - Farmer and protests the granting

of Application Number 79272, filed on January 28, 2010

by Southern Nevada Water Authority to appropriate the

waters of Snake Valley Underground 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:

- 1. There is insufficient unappropriated water in the proposed source of supply;
  - 2. Proposed use would conflict with existing water rights and protectable interests in domestic and/or ranch production and/or municipal wells;
  - 3. Proposed use would be detrimental to the public interest on environmental grounds and would be environmentally unsound for the export basin;
  - 4. Proposed use would be detrimental to the public interest on economic grounds and would unduly limit future growth and development in the export basin;
  - 5. Proposed action is not an appropriate long-term use of water;
  - 6. Applicant has not justified the need to import water from another basin;
  - 7. Applicant has not implemented a sufficient water conservation plan; and
  - 8. Applicant has not demonstrated 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.
- Protestant reserves the right to amend this protest to include issues as they develop.  Protestant incorporates other protests to SNWA's applications by reference.

*Attached in protest of Baker GIO of June 29, 1990 at this site, this protest should also be considered*

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 Dean Baker  
Agent or protestant

Dean Baker  
Printed or typed name, if agent  
Address PO Box 10 Baker Nevada 89311  
Street No. or PO Box  
Baker Nevada 89311  
City, State and ZIP Code  
775 2347316  
Phone Number

Subscribed and sworn to before me this 7th day of April, 2010



Anita Hansen  
Notary Public

State of Utah  
County of Millard

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

*UH*

New 79272

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

IN THE MATTER OF APPLICATION NUMBER 54027  
FILED BY Las Vegas Valley Water District  
ON October 17 1989, TO APPROPRIATE THE  
WATERS OF Underground, Snake Valley  
PROTEST

Comes now BAKER WATER & SEWER GENERAL IMPROVEMENT DISTRICT  
Printed or typed name of protestant  
whose post office address is Box 94, Baker, Nevada 89311  
Street No. or P.O. Box, City, State and Zip Code  
whose occupation is Water & sewer development and management, and protests the granting  
of Application Number 54027 filed on October 17 1989  
by Las Vegas Valley Water District to appropriate the  
Printed or typed name of applicant  
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:

Preliminary engineering has been done for a water system for Baker.  
This G.I.D. has been formed to implement that system. Said Application  
is adjacent to a probably source of water for the system. The water  
system is critical to the health and economic well-being of the residents  
of Snake Valley, as well as to Great Basin National Park administration  
and the needs of some 80,000 annual visitors to Baker and the Park.  
See also attachment.

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 *Pat Holter*  
Agent or protestant  
Pat Holter for Baker Water & Sewer G.I.D.  
Printed or typed name, if agent  
Address Post Office Box 94  
Street No. or P.O. Box No.  
Baker, Nevada 89311  
City, State and Zip Code No.

Subscribed and sworn to before me this 29<sup>th</sup> day of June 1989

*Henry Dale Taylor*  
Notary Public

State of Nevada  
County of White Pine

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

ATTACHMENT TO PROTEST OF APPLICATION NO. 54027  
BY LAS VEGAS VALLEY WATER DISTRICT

This application is one of nine filed by Las Vegas Valley Water District for a total of 51,100 acre feet to be appropriated from Snake Valley. Diversion and export of such a quantity of water will deprive Snake Valley of the water needed for its environmental and economic well-being, and will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.

Said application, if approved, would prevent or interfere with the development of the community water supply in Snake Valley. The Baker Water & Sewer General Improvement District was formed for this purpose after completion of an engineering study by Eric Beyer. Said water system is critically needed for the health and economic well-being of Snake Valley, as well as for serving the needs of some 80,000 annual visitors to Great Basin National Park.

Approval of this application would jeopardize the community water supply that is now being developed in Snake Valley for the town of Baker, by means of the Baker General Improvement District. This quasi-municipal water system is necessary for the healthy growth and economic development of Snake Valley, and to serve the 80,000 annual visitors to Great Basin National Park.

This application is one of nine applications filed on water in Snake Valley for a total of 51,100 acre feet. The appropriation of this water when added to the already approved appropriations and dedicated users will far exceed the annual recharge and safe yield of the basin, adversely affecting existing rights and public interest

According to USGS studies cited in Water Related Scientific Activities of the USGS in Nevada, 1985-89, pp. 47, 48, 57, and 58, it is impossible to predict the consequences of exporting water in such quantities. "Comprehensive studies of this aquifer system have not been made, and little appropriate data are available."

This application is one of 145 applications filed by the Las Vegas Valley Water District seeking to appropriate 804,195 acre feet of ground water primarily for municipal use within the service area of the District in Clark County. Diversion and export of such a quantity of water will: lower the static water level in Snake Valley; adversely affect the quality of remaining ground water; and further threaten springs, seeps and

phreatophytes which provide water and habitat critical to the survival of wildlife, grazing livestock and other surface area existing uses.

The appropriation of this water when added to the already approved appropriations and existing uses in the Snake Valley will exceed the annual recharge and safe yield of the basin. Appropriation and use of this magnitude will: lower static water level and degrade the quality of water from existing wells and cause negative hydraulic gradient influences as well as other negative impacts.

This application is one of 145 applications filed by the Las Vegas Valley Water District seeking a combined appropriation of some 864,195 acre feet of ground and surface water primarily for municipal use in the Las Vegas Valley Artesian Basin. Diversion and export of such a quantity of water will deprive the area of origin of the water needed for its environment and economic well-being and will unnecessarily destroy environmental, ecological, scenic and recreational values that the State holds in trust for all its citizens.

The granting or approving of the subject application in the absence of comprehensive planning, including but not limited to environmental impact considerations, socioeconomic impact considerations, and a water resource plan for the general Las Vegas Valley area such as has been required by the Public Service Commission of private purveyors of water, is detrimental to the public welfare and interest.

The granting or approving of the subject application in the absence of comprehensive water resource development planning, including but not limited to, environmental impacts, socioeconomic impacts, and long term impacts on the water resource, threatens to prove detrimental to the public interest.

The granting or approval of the above-referenced Application would conflict with or tend to impair existing rights in the Snake Valley because if granted it would exceed the safe yield of the subject valley and unreasonably lower the static water level and sanction water mining.

The approval of the subject application will sanction and enhance the willful waste of water allowed, if not encouraged, by the Las Vegas Valley Water District.

The undersigned additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every other protest to the subject application filed pursuant to NRS 533.365.

Inasmuch as a water extraction and transbasin conveyance project of this magnitude has never been considered by the State Engineer, it is therefore impossible to anticipate all potential adverse affects without further information and study. Accordingly, the protestant reserves the right to amend the subject protest to include such issues as they may develop as a result of further information and study.