

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

IN THE MATTER OF APPLICATION NUMBER 79272  
FILED BY SOUTHERN NEVADA WATER AUTHORITY  
ON JANUARY 28, 2010, TO APPROPRIATE THE  
WATERS OF KAIIOUS SPRINGS



PROTEST

RECEIVED  
2010 APR -8 AM 11:27  
STATE ENGINEERS OFFICE  
and protests the granting

Comes now WILLIAM R. KEERAN

Printed or typed name of protestant

whose post office address is 19360 BLACK OAK DR., FIDDLETOWN, CA 95629-9709

Street No. or PO Box, City, State and ZIP Code

whose occupation is GENERAL CONTRACTOR

of Application Number 79272, filed on JANUARY 28, 2010

by SOUTHERN NEVADA WATER AUTHORITY to appropriate the

waters of KAIIOUS SPRINGS 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 ATTACHMENTS PAGE 1 OF 2 AND PAGE 2 OF 2

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

*William R. Keeran*

Agent or protestant

Printed or typed name, if agent

Address

19360 BLACK OAK DRIVE

Street No. or PO Box

FIDDLETOWN, CA 95629-9709

City, State and ZIP Code

(209) 296-7762

Phone Number

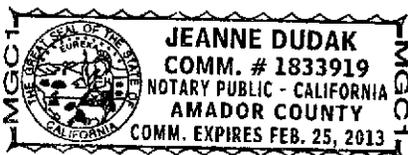
Subscribed and sworn to before me this

5<sup>th</sup>

day of

April

, 20 10



*Jeanne Dudak*  
Notary Public

State of

CALIF.

County of

AMADOR

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

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

**ATTACHMENT TO PROTEST OF William R. Keeran AGAINST  
APPLICATION NO. 79272, FILED JAN 28, 2010,  
BY THE SOUTHERN NEVADA WATER AUTHORITY**

This attachment lists and briefly describes the reasons and grounds for this protest of William R. Keeran ("Protestant") against Application Number 79272. The Southern Nevada Water Authority ("SNWA" or "Applicant") has filed this Application to appropriate groundwater from Kalibus Springs 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 ⇒⇒⇒⇒⇒

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Pursuant to NRS §533.370 (5). The State Engineer should deny the subject application as there is insufficient water available in the proposed source of supply. This appropriation of water will exceed the perennial yield of the basin of origin and hydrologically connected basins within the same flow system. The already approved appropriations in the basin of origin and the hydrologically connected basins have been found by the State Engineer to be fully if not over-appropriated. The risk of unsustainable over-appropriation in the inter-basin flow system, combined with too much uncertainty and too little sound data have already lead the State Engineer to find it necessary to request additional data be gathered and evaluation of the existing conditions be performed. The State Engineer has found it would be premature to permit any additional appropriation from hydrologically interconnected basins within the carbonate rock province, including the basin targeted by this Application.

The Application should be denied.