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

IN THE MATTER OF APPLICATION NUMBER 79273
FILED BY Southern Nevada Water Authority
ON January 28, 2010, TO APPROPRIATE THE
WATERS OF Underground Snake Valley

PROTEST

RECEIVED
2010 APR 13 PM 4:21
STATE ENGINEERS OFFICE

Comes now Darwin C. & Emma Kay Wheeler
Printed or typed name of protestant

whose post office address is P.O. Box 40 Garrison, UT 84728
Street No. or PO Box, City, State and ZIP Code

whose occupation is Rancher & farmer and protests the granting

of Application Number 79273, filed on January 28, 2010

by Southern Nevada Water Authority to appropriate the

waters of Underground Snake Valley situated in White Pine County
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.

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.

FILED
APR 13 2010 ML
STATE ENGINEER'S OFFICE

Signed Darwin C. Wheeler & Emma Kay Wheeler
Agent or protestant

Darwin C. & Emma Kay Wheeler
Printed or typed name, if agent

Address P.O. Box 40
Street No. or PO Box

Garrison, UT 84728
City, State and ZIP Code

435-855-2431
Phone Number

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

ANITA - HANSEN
Notary Public - State of Utah
Commission No. 575511
My Commission Expires on October 01, 2010
1100 Del Paso Road Garrison Utah 84728

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.