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

RECEIVED
2010 APR 15 PM 1:19
STATE ENGINEERS OFFICE

IN THE MATTER OF APPLICATION NUMBER 79275
FILED BY Southern Nevada Water Authority
ON January 28, 20 10, TO APPROPRIATE THE
WATERS OF Underground, Snake Valley

PROTEST

Comes now EskDale Center
Printed or typed name of protestant

whose post office address is 1100 Circle Drive, EskDale, UT 84728
Street No. or PO Box, City, State and ZIP Code

whose occupation is Agricultural Community and protests the granting

of Application Number 79275, filed on January 28, 20 10

by Southern Nevada Water Authority to appropriate the

waters of Underground situated in Snake Valley
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:

FILED
APR 15 2010
STATE ENGINEER'S OFFICE

See Attachment on reverse.

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

Jerald Anderson
Printed or typed name, if agent

Address 1100 Circle Drive
Street No. or PO Box

EskDale, UT 84728
City, State and ZIP Code

435-855-2189
Phone Number

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

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.

ATTACHMENT FOR ***ESKDALE CENTER*** PROTEST OF SNWA APPLICATIONS
79267, 79268, 79269, 79270, 79271, 79272, 79273, 79274, 79275
TO APPROPRIATE WATER FROM SNAKE VALLEY (BASIN 195)

FILED ON JANUARY 28, 2010.

1. This application is one of nine refiled by Southern Nevada Water Authority (SNWA) (originally filed by Las Vegas Valley Water District) for a total of 51,500 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, scenic and recreational values that the State and the Nation holds in trust for all its citizens.

2. The granting or approval of said application would be detrimental to the welfare of the general public in that:
(i) water rights in adjoining Utah communities would be affected, insomuch as a lowering of the water table affects the aforementioned communities access to their own water supply,
(ii) possible contamination of deeper aquifers with upper level ground water due to lowering of the water table in nearby Utah communities,
(iii) infringement upon the rights, health, and economic well being of citizens of the State of Utah without formal agreement or approval according to accepted legal procedures.

3. There is insufficient replenishment for the groundwater applied for without significantly affecting the groundwater currently being used by both Utah and Nevada residents. The protestant being a nearby community with an agricultural support base will be severely affected economically in the event of lowering of current groundwater levels:
(i) current wells have produced consistently for over 50 years,
(ii) the cost of drilling deeper wells has increased many fold over that 50 year period,
(iii) the state-regulated community potable water supply quality would be jeopardized and domestic wells will be threatened,
(iv) it would place unnecessary hardship on, and thereby threaten the economic survival of the protesting community if the Application mentioned above is approved,
(v) it would threaten the groundwater supply in other areas of Snake Valley where the community has interests in water rights and economic and social relationships with other communities and individuals.

4. Groundwater dependent vegetation will be affected, changing the general ecology and providing opportunity for invasive or non-native species to compete with both wildlife habitat and agricultural cropping, threatening the agricultural basis of the community and future economic development opportunities.

5. 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 effects 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.

6. ***EskDale Center*** additionally incorporates by reference as though fully set forth herein and adopts as its own, each and every reason or ground for other protests to the subject application filed pursuant to NRS 533.365.