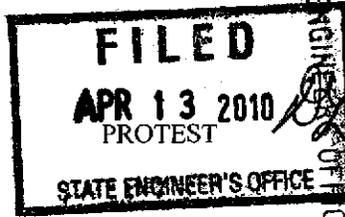


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 79278  
FILED BY Southern Nevada Water Authority  
ON January 28, 2010, TO APPROPRIATE THE  
WATERS OF Underground



RECEIVED  
2010 APR 13 AM 11:33  
STATE ENGINEER'S OFFICE

Comes now Lincoln County Water District and Vidler Water Company Inc.  
Printed or typed name of protestant  
whose post office address is P.O. Box 206, Pioche NV 89043  
Street No. or PO Box, City, State and ZIP Code

whose occupation is \_\_\_\_\_ and protests the granting  
of Application Number 79278, filed on January 28, 2010

by Southern Nevada Water Authority to appropriate the

waters of Underground situated in Dry Lake Valley in Lincoln  
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 attached.

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

*LeAnn Brandt*

Agent or protestant

LeAnn Brandt

Address

Printed or typed name, if agent

3480 GS Richards Blvd. Suite 101

Street No. or PO Box

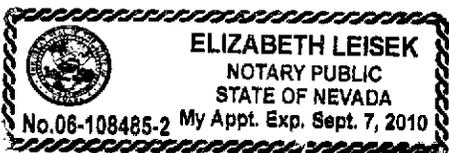
Carson City, NV 89703

City, State and ZIP Code

775-885-5000 ext. 106

Phone Number

Subscribed and sworn to before me this 12<sup>th</sup> day of April, 2010



*Elizabeth Leisek*

Notary Public

State of Nevada

County of Washoe

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

**Attachment to Protests of  
Lincoln County water District and Vidler Water Company, Inc.  
to Applications 79262 and 79278**

1. The Protestants, Lincoln County Water District (“LCWD”) and Vidler Water Company, Inc. (“Vidler”), have water permits and applications filed to appropriate water for irrigation purposes in the Dry Lake Valley (181). The Protestants have drilled a well and commenced in basin agricultural activities on property owned by Vidler pursuant to the terms of their existing permit. In Ruling 5993, the State Engineer awarded the remaining unappropriated water to the next senior applicants in the basin, LCWD and Vidler. According to Ruling 5993, there is no unappropriated water remaining in the basin. Thus, there is no water available for the Applicant to appropriate.
2. The BLM is reviewing the development of 59,000 acres in the Dry Lake Valley Basin for future solar energy projects under the Solar Programmatic Environmental Impact Statement. The 59,000 acres are adjacent to the SWIP right-of-way. The Protestants believe that solar projects would benefit the citizens of Lincoln County. The Applicant intends to export the water it seeks to appropriate out of the Dry Lake Valley Basin, impairing the use of water to be appropriated by LCWD and Vidler. Granting the subject applications would be detrimental to the public interest.
3. The Applicant does not control the land to place the water to beneficial use and cannot show a need for beneficial use in the areas described in the applications’ place of use.
4. The granting of these applications would unduly impair the LCWD and Vidler senior permitted water rights and recent applications.
5. The only studies available to support the applications are reconnaissance level studies and estimates. The applications seeking appropriations are not based upon basin specific data showing recharge and/or discharge to adequately determine perennial yield available to appropriate. The State Engineer should require the Applicants to provide a comprehensive hydrologic study or studies showing there is recharge and/or discharge available to appropriate, the hydrologic properties of the proposed points of diversion, and impacts associated with the Applicant’s proposed pumping. Until such studies are performed, impacts associated with sustained pumping of substantial water rights at the proposed points of diversion for Applicant’s project are not known and may impact existing rights and protectable interests in domestic wells.
6. The proposed points of diversion for these applications lie in Basin 181, while the proposed place of use includes Clark County, Lincoln County, Nye County and White Pine County. The applications call for a transfer of ground water out of the basin of