

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

IN THE MATTER OF APPLICATION NUMBER 79310
FILED BY The Southern Nevada Water Authority
ON 4-13, 2010, TO APPROPRIATE THE
WATERS OF UNDER GROUND

FILED
PROTEST
APR 13 2010
STATE ENGINEER'S OFFICE

STATE ENGINEERS OFFICE

2010 APR 15 AM 11:49

RECEIVED

Comes now Cold Creek Canyon Homeowners Association

Printed or typed name of protestant

whose post office address is HCR 38 Box 954 Las Vegas, NV 89124

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

whose occupation is Homeowners Association

and protests the granting

of Application Number 79309, through 79315

, filed on

4-13

, 2010

by The Southern Nevada Water Authority

to appropriate the

waters of Underground, approximately 5 miles W-SW of Indian Springs, NV situated in Clark

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:

SEE ATTACHED

DUN/DWR
RECEIVED

APR 13 2010

LAS VEGAS OFFICE

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 A. Conidi

Agent or protestant

William A. Conidi - President

Printed or typed name, if agent

Address

HCR 38 Box 954

Street No. or PO Box

Las Vegas, NV 89124

City, State and ZIP Code

702-271-9452

Phone Number

Subscribed and sworn to before me this

13th

day of

APRIL

, 20

Tamara Powell
Notary Public

State of

NEVADA

County of

CLARK

TAMARA POWELL
NOTARY PUBLIC
STATE OF NEVADA
APPT No. 90-2031-1
APR 13 2010

ALL COPIES MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

ATTACHMENT
IN THE MATTER OF APPLICATION NUMBERS
79309,79310,79311,79312,79313,79314,79315 REASONS SUPPORTING
DENIAL OF APPLICATION

1. Cold creek canyon homeowners association (CCCHOA) represents approximately 200 lots which draw water from cold creek spring for their sustainability. The cold creek spring surfaces and begins its flow within the cchoa property boundaries. Ccchoa has water rights under permit number 36526.the cold creek spring is located a relatively short distance (approximately) 14 miles south-southwest of Indian springs) from the basin from which proposed southern Nevada water authority (snwa) wells propose to draw water.
2. Cold Creek spring and its water table would most likely be impacted in a very negative way by the SNWA proposed pumping of 16,000 acre-feet per year of water. Cold Creek Springs shallow above ground flow lasts less then two miles before returning underground into the springs drainage.
3. Any decrease of water supply to the CCCHOA homeowners would have devastating economic consequences. Land and home values are completely dependent upon water supply and sustainability. CCCHOA residents do not have any other options for obtaining water from other sources as does the Las Vegas Valley Water District (LVVWD).
4. The aboveground flow from Cold Creek Canyon is partially diverted to supply water for three ponds. The largest of the three ponds was constructed by Clark County for the main propose of fighting fires. The additional two pond feed into this larger pond. In addition to the immense necessity of having this water available for fire fighting purposes, the Cold Creek Spring is the source from which the U.S. Department of Forestry (USDF) and the Bureau of Land Management (BLM) depend on to provide aboveground water to the only pond deep enough to be used for fire fighting. This pond was heavily utilized by firefighters this year and last year in suppressing forest fires within the Spring Mountain Recreational Area (SMNRA) and adjacent Toyiabe National Forest. There is no other water supply for hundreds of square miles which can replace this valuable resource for firefighters. If downstream pumping decreases the flow of Cold Creek Stream, the pond will empty and the entire SMNRA would be placed in at substantially greater fire risk. This single pond has been depended upon by firefighters to control and prevent devastating wildfires.
5. This beautiful Cold Creek Canyon area also has created an unsurpassed environment for the preservation of local and migratory wildlife as it feeds a most unique riparian environment recently put under protection by the Bureau of Land Management. The flow of Cold Creek Spring has always been very shallow and any slight reduction in the flow rate would ultimately cause the aboveground stream to disappear. In turn this would cause the ponds to dry up. Irreparable harm would be done to wildlife and irretrievable damage to all who have invested a great deal of their properties and have found solace in this area that without question be preserved.
6. The USDF and the BLM have assisted the Cold Creek Springs aboveground flow because they understand the importance of having a dependable supply of water to a pond sufficiently large enough to allow firefighting helicopters to refill their tanks.
7. With great consideration of sustaining the wildlife and community, Cold Creek Canyon offers a most unique and desirable area for recreation and enjoyment for many people in the surrounding areas. It would be most regrettable if the preservation of this area were to be left to deteriorate due to poor planning of surrounding areas and sincere inconsideration
- **The protestant request that the State of Nevada Engineer DENY application and the associated applications (#79309 through #79315 inclusive,) without further consideration or hearing.**

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.

**DENR/DWR
RECEIVED**

APR 13 2010

LAS VEGAS OFFICE