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

IN THE MATTER OF APPLICATION NUMBER 79345

FILED BY Southern Nevada Water Authority

ON January 28, 20 10, TO APPROPRIATE THE

WATERS OF Underground South Railroad Valley

FILED
PROTEST
APR 13 2010
STATE ENGINEER'S OFFICE

Comes now Dave Weaver
Printed or typed name of protestant

whose post office address is 1405 Mill Street, Ely NV 89301
Street No. or PO Box, City, State and ZIP Code

whose occupation is Rancher / General Building Contractor and protests the granting

of Application Number 79345, filed on January 28, 20 10

by Southern Nevada Water Authority to appropriate the

waters of Underground situated in Nye
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:

ADDITIONAL REASONS AND GROUNDS ATTACHED

This application is immediately south of a number of springs that feed adjacent Railroad Valley Wildlife Management Area., Approval of this application and subsequent extraction would destroy the Wildlife Management Area and not be in the public interest.

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 [signature]
Agent or protestant

Dave Weaver, Angleworm Ranch
Printed or typed name, if agent

Address 1405 Mill Street,
Street No. or PO Box

Ely, NV 89301
City, State and ZIP Code

775-289-8785
Phone Number

Subscribed and sworn to before me this 8th day of April, 20 10

[signature]
Notary Public

DAHN S. PUCKETT
NOTARY PUBLIC-STATE of NEVADA
White Pine County • Nevada
CERTIFICATE # 99-50846-17
APPT. EXP. JAN. 22, 2011

State of Nevada

County of White Pine

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

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

ATTACHMENT TO PROTEST OF ___Dave Weaver____ AGAINST APPLICATION NO. ___79345_____, FILED ___January 28,2010_____, BY THE SOUTHERN NEVADA WATER AUTHORITY

This attachment lists and briefly describes the reasons and grounds for this protest of _____Dave Weaver_____ ("Protestant") against Application Number ____79345_____. The Southern Nevada Water Authority ("SNWA" or "Applicant") has filed this Application to appropriate groundwater from ___Basin 173B_____ 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: Endangered fish
- ☒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.

☐ ADDITONAL REASONS AND GROUNDS ON NEXT PAGE ⇨⇨⇨⇨⇨⇨