

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

IN THE MATTER OF APPLICATION NUMBER 79356
FILED BY Lincoln County Water District and Vidler Water Co.
ON January 29, 20 10, TO APPROPRIATE THE
WATERS OF UNDERGROUND SOURCE IN VIRGIN VALLEY



FILED
12 APR 2010
STATE ENGINEER'S OFFICE

PROTEST

Comes now Virgin Valley Water District

Printed or typed name of protestant

whose post office address is 500 Riverside Road, Mesquite, NV 89027

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

whose occupation is Municipal water purveyor within the Clark County portion of the lower Virgin River and protests the granting

of Application Number 79356, filed on January 29, 20 10

by Lincoln County Water District and Vidler Water Co. to appropriate the

waters of underground situated 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:

Application No. 79356 will cause adverse impacts as the point of diversion is directly up gradient from Permit No. 44704, held by Virgin Valley Water District, with a priority date of 10-29-1981 and Application No. 54175. Permit No. 44704 and Application No. 79356 is located along an existing mapped geologic fault zone, Gourd Springs fault zone, which would cause adverse impact to these senior permitted water rights held by VVWD. The granting of the subject application will adversely impact existing rights of the Protestant and could further adversely impact the potable water source for residents of the City of Mesquite, the Town of Bunkerville and others within the service area of the Protestant. Application not environmentally sound, as the Applicants are not a participant in the Virgin River Habitat Conservation and Recovery Program which is utilized to address groundwater surface water interaction and perceived impacts to the endangered species in the Virgin River riparian area. Applicants have no water right available for mitigation of impacts to the endangered species.

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

Michael Johnson, Agent

Address

Printed or typed name, if agent

500 Riverside Road

Street No. or PO Box

Mesquite, NV 89027

City, State and ZIP Code

702 346-5731

Phone Number

RECEIVED
2010 APR 15 AM 11:48
STATE ENGINEER'S OFFICE

**DCNH/DWR
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APR 12 2010
LAS VEGAS OFFICE

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

Notary Public

State of Nevada

County of Clark

Notary Public - State of Nevada
COUNTY OF CLARK
VALERIE MARTINEZ
No. 98-37760-1 My Appointment Expires August 2, 2011

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

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.