

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

IN THE MATTER OF APPLICATION NUMBER 79357
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



PROTEST

FILED
12 APR 2010
STATE ENGINEER'S OFFICE

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 79357, 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. 79357 will cause adverse impact as the point of diversion is directly down gradient from existing Virgin Valley Water District production wells, associated with Permit No. 67729, priority date of 6-20-1994; Permit No. 67730 with a priority date of 4-15-1988 and up gradient from Permit Nos. 61594 and 61975 with a priority date of 9-03-1987 and 11-09-1988. Application No. 79357 located along an existing mapped geologic fault which the VVWD production wells are located and would cause adverse impact to 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. 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

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

Address

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

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



Valerie Martinez
Notary Public

State of Nevada

County of Clark

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