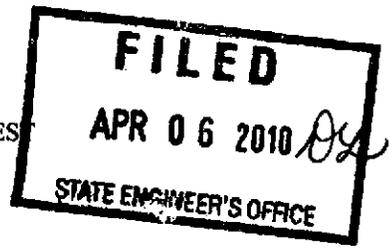


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 79412
FILED BY Virgin Valley Water District
ON February 1st, 20 10, TO APPROPRIATE THE
WATERS OF Beaver Dam Wash at the outlet at Schroeder Lake



PROTEST



Comes now Department of Conservation and Natural Resources, Nevada Division of State Parks

Printed or typed name of protestant

whose post office address is 901 S. Stewart Street, Suite 5005, Carson City, Nevada 89701-5248

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

whose occupation is State of Nevada public agency

and protests the granting

of Application Number 79412, filed on February 1st, 20 10

by Virgin Valley Water District to appropriate the

waters of Beaver Dam Wash at the outlet at Schroeder Lake 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:

The diversion of 500 cfs would completely drain Beaver Dam Wash of surface water in all but the most severe flood events. The point of diversion lies within the boundaries of Beaver Dam State Park. Withdrawing water from the stream would cause a severe environmental impact to the Park. The Nevada Division of State Park, the Nevada Department of Wildlife, and the Federal Emergency Management Agency recently invested over \$700,000 in restoration of the failed Schroeder Dam and the old reservoir site. Withdrawing water from the stream would invalidate this major public investment. Construction of the necessary diversions, pipelines and other water system elements would have a major destructive and disruptive impact on the Park, its' visitors, the environment and wildlife. Withdrawing water from the stream could have an impact on prior rights to wells and springs within the Park (permits 21882 - 21885), as well as the downstream rights of neighboring ranch lands, which provide an important environmental buffer for the Park.

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

David K. Morrow
Agent or protestant

David K. Morrow, Administrator

Printed or typed name, if agent

Address

901 S. Stewart Street, Suite 5005

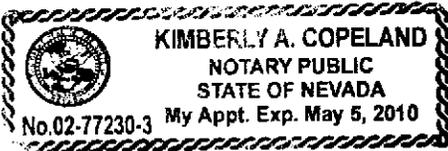
Street No. or PO Box

Carson City, Nevada 89701-5248

City, State and ZIP Code

775-684-2770

Phone Number



Subscribed and sworn to before me this 29th day of March, 20 10

Kimberly A. Copeland
Notary Public

State of Nevada

County of Carson City

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

OC