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

IN THE MATTER OF APPLICATION NUMBER 81231
FILED BY Lincoln County Water District & Vidler Water Co.
ON October 11, 20 11

PROTEST

FILED
DEC 19 2011
STATE ENGINEER'S OFFICE

Comes now U.S. Department of the Interior, Fish and Wildlife Service
Printed or typed name of protestant

whose post office address is 1340 Financial Blvd., Reno, NV 89502
Street No. or PO Box, City, State and ZIP Code

whose occupation is Federal Agency and protests the granting

of Application Number 81231, filed on October 11, 20 11

by Lincoln County Water District and Vidler Water Company for the

waters of an underground source situated in Lincoln
an underground source or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

Approval of this application would not be within the public interest and may conflict with existing rights. The perennial yield currently recognized by the State Engineer for Dry Lake Valley is 12,700 AFA. This application coupled with existing permitted rights and existing applications in Dry Lake Valley will exceed the basin's perennial yield. The Bureau of Land Management (BLM) is currently working on an Environmental Impact Statement to determine impacts to resources from pumping in Dry Lake Valley. This analysis has identified that increases in pumping in Dry Lake Valley may affect ground-water flow paths and capture ground-water which would impact U.S. Fish and Wildlife resources and water rights in adjacent basins.

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 Edward D. Koch
Agent or protestant

Edward D. Koch, State Supervisor
Printed or typed name, if agent

Address 1340 Financial Blvd.
Street No. or PO Box

Reno, NV 89502
City, State and ZIP Code

775-861-6300
Phone Number

Ted_Koch@fws.gov
E-mail

Subscribed and sworn to before me this 19 day of December, 2011

Pamela J. Collins
Notary Public

PAMELA J. COLLINS
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-56358-2 - Expires June 14, 2015

State of Nevada
County of Washoe

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

**ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.**