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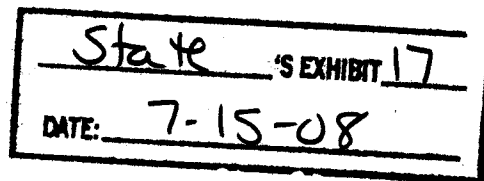
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STATE ENGINEERS OFFICE

Trout Unlimited
Great Basin Chapter
P.O. Box 32
Baker, NV 89311

June 12, 2008

Tracy Taylor, P.E.
State Engineer
Nevada Division of Water Resources
901 South Carson Street, Suite 2002
Carson City, NV 89701



Re: Recognition as Interested Person – Application No.54028

Dear Mr. Taylor:

Pursuant to NAC 533.100, Trout Unlimited, Great Basin Chapter, hereby requests recognition as an Interested Person with respect to Application No. 54028. Enclosed is the \$25 fee required by NAC 533.100, as per Application No. 54028.

Pursuant to NAC 533.100, Trout Unlimited, Great Basin Chapter, hereby sets forth the following ground in support of a showing of extreme circumstances that prevented Trout Unlimited, Great Basin Chapter, from filing a protest to Application No. 54028 in a timely manner:

1. Trout Unlimited, Great Basin Chapter, is represented in White Pine County, Nevada by Nevada anglers and recreationists who have been involved in aquatic-riparian conservation for native fish species, especially the native Bonneville cutthroat trout, *Oncorhynchus clarki utah*, in waters of the South and North Snake Ranges, White Pine County, Nevada in Snake Valley since the 1970's, and especially since the 1989 application for groundwater withdrawal by the Southern Nevada Water Authority (SNWA).
2. Trout Unlimited, Great Basin Chapter, has maintained cooperative partnerships and agreements with State and Federal Agencies in Nevada for the conservation of the Bonneville cutthroat trout in Nevada perennial streams which have been and are continuing to be restored for this native Salmonid species under the Nevada Department of Wildlife's (NDOW) Bonneville Cutthroat Trout Conservation Strategy and Plan, as supplement to the Interagency State and Federal Range-wide Conservation Strategy and Plan for the conservation of this native species. The Bonneville Cutthroat Trout has been petitioned for Threatened and Endangered Species status under the Federal Endangered Species Act. The recovery of this native Nevada

salmonid species is dependent on the groundwater recharge to maintain surface water flows in a functional hydrologic state in perennial streams to sustain this species existence in Nevada and preclude its listing as a Federal Endangered species.

3. Trout Unlimited, Great Basin Chapter, is filing this request as an Interested Person. The Chapter was not aware of SNWA's 1989 application nor did it file a protest at the time of the original application but has now become aware of the potential significant threat to groundwater withdrawals and environmental impacts posed to surface water recharge and to the significant risk to the continued existence of the Bonneville Cutthroat Trout in the future under Nevada's NDOW conservation and recovery plan for this species. The continued groundwater availability for surface water perennial streams in the future in the South and North Snake Ranges in White Pine County, Nevada is necessary for the continued conservation operation and maintenance of Trout Unlimited, Great Basin Chapter's efforts with State and federal Agencies in Nevada for the recovery and restoration of the Bonneville Cutthroat Trout. These conservation efforts by the Trout Unlimited, Great Basin Chapter would be harmed if SNWA's application was granted.
4. Trout Unlimited, Great Basin Chapter, believes that its conservation programs and plans for the recovery of the native Bonneville Cutthroat Trout will be likely impacted by SNWA's proposed groundwater withdrawals, which constitute an extreme circumstance to the Trout Unlimited, Great Basin Chapter. The Chapter and its members are personally concerned with the environmental conservation and harmful impacts to our Nevada natural resources in White Pine County, Nevada by SNWA's application. The chapter is aware of the severe drought Nevada is experiencing and the shortage of water in Snake Valley and other hydrologically connected and surrounding basin's for the maintenance of surface water flows and the continued conservation efforts by Trout Unlimited, Great Basin Chapter in cooperation with NDOW and other State and Federal agencies in Nevada.
5. The Southern Nevada Water Authority (SNWA) is the successor in interest to the Las Vegas Valley Water District (LVVWD), the entity that filed Application No. 54028.
6. SNWA and LVVWD delayed the consideration of Application No. 54028 for almost 20 years, during which time it has become clear that the water table in Snake Valley already is declining and that the export of water from Snake Valley by SNWA would devastate the natural water resources and aquatic-riparian environment of Snake Valley. This delay clearly constitutes an extreme circumstance warranting recognition of Trout Unlimited, Great Basin Chapter as an Interested Person for the hearing on Application No. 54028, for which we have enclosed a check for \$25 to cover the fee for this application protest.

7. The unprecedented magnitude of the SNWA proposed water project and its potential impact also supports a finding of extreme circumstance.
8. SNWA Application No. 54028 seeks a quantity of water that would substantially impact the springs, streams, and groundwater recharge flow upon which Trout Unlimited, Great Basin Chapter conservation efforts, in cooperation with NDOW, for the recovery of the native Bonneville Cutthroat Trout depend.
9. Absent recognition as an Interested Person pursuant to NAC 533.100, Trout Unlimited, Great Basin Chapter, will have no forum in which to present evidence on SNWA's Application no. 54028 and the potential impacts and their public policy ramifications.

Based on the grounds set forth above, request is respectfully made for recognition of Trout Unlimited, Great Basin Chapter, as an Interested Person in proceedings to be held on Application No. 54028.

Respectfully,



Donald A. Duff, President
Great Basin Chapter
Trout Unlimited
P.O. Box 32
Baker, NV 89311