

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

IN THE MATTER OF APPLICATIONS 53987)
THROUGH 53992, INCLUSIVE, AND 54003)
THROUGH 54030, INCLUSIVE, FILED BY)
LAS VEGAS VALLEY WATER DISTRICT TO)
APPROPRIATE THE UNDERGROUND)
WATERS OF DELAMAR VALLEY (182))
DRY LAKE VALLEY (181), CAVE VALLEY)
(180), SPRING VALLEY (184), AND SNAKE)
VALLEY (195) HYDROGRAPHIC BASINS)
LINCOLN AND WHITE PINE COUNTIES,)
NEVADA)
_____)

PETITION FOR
DECLARATORY ORDER
TO RE-NOTICE 16 YEAR OLD
GROUNDWATER
APPLICATIONS IN THE
DELAMAR VALLEY, DRY
LAKE VALLEY, CAVE
VALLEY, SPRING VALLEY,
AND SNAKE VALLEY

STATE ^{STATE}	'S EXHIBIT <u>42</u>
DATE: <u>9-11-06</u>	

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| 1. | Schaefer, Donald and Harrill, James. <u>Simulated Effects of Proposed Ground-Water Pumping in 17 Basins of East-Central and Southern Nevada, U.S.</u> Geological Survey (USGS), Water-Resources Investigations Report 95-4173, 1995. 71p. |
| 2. | Declaration of David C. Bagley (85 years old, no notice, Juab County, UT) |
| 3. | Declaration of Clark Wyatt Miles (1995 ranch owner, Millard County, UT) |
| 4. | Declaration of Raymond Earl Timm (post-1989 resident of Baker, NV) |
| 5. | Declaration of Theodore Stazeski (post-1989 resident of Baker, NV) |
| 6. | Declaration of Sheldon Mahlon Edwards (72 years, Lincoln county owner) |
| 7. | Declaration of Kathryn Hill (resident, Juab County, UT) |
| 8. | Declaration of Kenneth F. Hill (resident, Juab County, UT) |
| 9. | Declaration of Scotty Heer (business owner, White Pine County) |
| 10. | Declaration of Beth B. Anderson (ranch owner, Juab County, UT) |
| 11. | Declaration of Susan L. Geary (post -1989 resident, Baker, NV) |
| 12. | Declaration of Donald W. Geary (post -1989 resident, Baker, NV) |
| 13. | Declaration of Robert Ewing (post-1989 resident, Baker, NV) |
| 14. | Declaration of Pamela and Bruce Jensen (ranch owner, Nye, White Pine, Lincoln) |
| 15. | Declaration of Renee A. Alder (resident, Juab County, UT) |
| 16. | Declaration of Robert J. Nickerson (post-1989 property owner, Baker, NV) |
| 17. | Declaration of Joyce B. Nickerson (future full-time resident White Pine, business) |
| 18. | Declaration of Edward J. Weisbrot (post-1989 resident, Baker, NV) |

19. Declaration of Alexander Rose, Executive Director of the Long Now Foundation (post - 1989 property owner, White Pine County, NV)
20. Declaration of Robert N. Kranovich (62 year resident, White Pine County, NV)
21. Declaration of Pamela M. Pedrini (post-1989 property owner Baker, NV)
22. Declaration of Rick Havenstrite (Reno, NV resident)
23. Declaration of Terrence P. Marasco (post-1989 resident/business owner, Baker, NV)
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25. Declaration of John B. Woodyard II (20 year resident, White Pine County, NV)
26. Declaration of Laurie E. Cruikshank (post-1989 resident, Baker, NV)
27. Declaration of Walter J. Benson (Ely, NV, original protestant/no notice of hearing)
28. Declaration of Selena L. Weaver (Ely, NV, original protestant/no notice of hearing)
29. Declaration of Mary E. Collins (Ely, NV original protestant/no notice of hearing)
30. Declaration of Candi A. Ashby (Ely, NV original protestant/no notice of hearing)
31. Declaration of Sally L. Gust (original protestant/no notice of hearing)
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36. Declaration of Donald A. Duff (post-1989 property/ranch owner, Baker, NV)
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38. Declaration of Jamie Deneris (second home, White Pine County, NV)
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40. Declaration of the Great Basin Water Network (post-1989 organization)
41. Declaration of Jo Anne Garrett
42. Declaration of Brian Segee, on behalf of Defenders of Wildlife
43. Declaration of Veronica F. Douglass (rancher, Juab County, UT)
44. Declaration of Abigail C. Johnson (post-1989 resident, Baker, NV)
45. Declaration of Marie Jordan (original protestant, no notice)
46. Declaration of James Jordan (original protestant, no notice)
47. Declaration of Rutherford Day (original protestant, no notice)
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49. Declaration of Wilda K. Garber (post-1989 resident, Baker, NV)
50. Declaration of the Utah Council of Trout Unlimited

INTRODUCTION

Pursuant to Nevada Revised Statutes (NRS) § 233B.120, the Great Basin Water Network, Defenders of Wildlife, David C. Bagley, Clark W. Miles, Raymond E. Timm, Theodore Stazeski, Sheldon M. Edwards, Kathryn Hill, Kenneth F. Hill, Scotty Heer, Beth B. Anderson, Susan L. Geary, Donald W. Geary, Robert Ewing, Pamela and Bruce Jensen, Renee A. Alder, Robert J. Nickerson, Joyce B. Nickerson, Edward J. Weisbrot, Alexander Rose (in his capacity as Executive Director of the Long Now Foundation), Robert N. Kranovich, Pamela M. Pedrini, Rick Havenstrite, Terrence P. Marasco, Bryon Hamilton, John B. Woodyard II, Laurie E. Cruikshank, Walter J. Benson, Selena L. Weaver, Mary E. Collins, Candi A. Ashby, Sally L. Gust, Bruce Ashby, Daniel Maes, Robert N. Marcum, Tara Foster, Donald A. Duff, Elisabeth A. Douglass, Jamie Deneris, Nomi Martin-Sheppard, Veronica F. Douglass, Abigail C. Johnson, Marie and James Jordan, Rutherford Day, the Great Basin Chapter of Trout Unlimited, Wilda K. Garber, and the Utah Council of Trout Unlimited (hereinafter "Petitioners") request the Nevada State Engineer to issue a declaratory order to re-notice the Southern Nevada Water Authority's (SNWA's) 34 groundwater applications in the Spring, Snake, Cave, Dry Lake, and Delamar Valleys.

The 34 applications at issue in this petition include: (1) 53991 and 53992 in the Delamar Valley; (2) 53989 and 53990 in the Dry Lake Valley; (3) 53988 and 53897 in the Cave Valley; (4) 54021, 54003, 54004, 54005, 54006, 54007, 54008, 54009, 54010, 54011, 54012, 54013, 54014, 54015, 54016, 54017, 54018, 54019, and 54020 in the Spring Valley; and (5) 54028, 54029, 54024, 54025, 54030, 54026, 54027, 54022, and 54023 in the Snake Valley (hereinafter

“34 applications”).¹

These 34 applications must be re-noticed because since originally filed on October 17, 1989 – over 16 years ago – several significant changes have occurred. Hundreds of local residents and concerned citizens in the Spring, Snake, Cave, Dry Lake, and Delamar Valleys with domestic wells, existing rights, and interests have moved to, use, and/or now live in the vicinity of the applications. See Exhibit (“Ex.”) 2-48. There are also individuals who inherited property in the vicinity of SNWA’s applications, were too young to participate in 1989, and now wish to voice their concerns. See Ex. 41 at ¶ 9.

These local residents and concerned citizens never received notice of SNWA’s applications and were never afforded the opportunity to file formal protests with the State Engineer. As a result, property owners, ranchers, individuals, organizations, and local businesses interested in conserving their local supply of water are being shut out of the adjudication process. Under Nevada law, these are individuals with “protectible interests.” See NRS § 533.024. Moreover, there are hundreds of individuals who filed protests in 1989 but failed to receive actual notice of the State Engineer’s January 5, 2006 pre-hearing conference on SWNA’s 34 applications or notice of the upcoming hearings on SNWA’s Spring Valley applications scheduled for September 11, 2006. See e.g. Ex. 27-35, 41, 45-47. An error with the Ely, Nevada post office’s addressing system caused many of the notices to be misplaced and/or never delivered. See Ex. 41 at ¶ 9.

¹ These 34 applications were originally filed by the Las Vegas Valley Water District (LVVWD). SNWA was created in 1991 and subsequently acquired LVVWD’s rights to these applications. While this petition specifically targets 34 applications, the arguments in support of re-noticing the 34 applications apply equally and extend to *all* pending SNWA applications originally filed back on October 17, 1989.

Other individuals who did receive notice were confused by the process and the State Engineer's decision to conduct hearings on groundwater applications that were filed on October 17, 1989. See Ex. 41 at ¶ 12. Still others are too ill to participate, have since moved from the area, or are now deceased with heirs who wish to participate. Equally compelling, over the last 16 years the facts and circumstances surrounding SNWA's groundwater applications have undergone material changes. See SNWA's February 9, 2006 letter to the Nevada State Engineer requesting action on groundwater applications.

Under these extraordinary circumstances, the State Engineer's office not only has the regulatory authority to require re-noticing of SNWA's 34 applications but an affirmative legal obligation to make sure that *before* approving or rejecting SNWA's applications, *all* interested members of the public are given proper notice and an opportunity to be heard in a meaningful way. See NRS § 533.375 (State Engineer may require additional information to guard the public interest); § 533.370.4 (State Engineer must reject application if it conflicts with existing rights, protectible interests, or the public interest). Anything less would fly in the face of both the letter and spirit of Nevada water law, deprive Nevada's citizens of their fundamental procedural due process rights, and be inherently unfair and entirely unjust.

BACKGROUND

As part of a massive effort to acquire more water for the city of Las Vegas, the Las Vegas Valley Water District (LVVWD) filed 147 applications in October 17, 1989 to pump approximately 800,000 acre-feet per year (acre-ft/yr) of ground water from approximately 30

basins in east-central and southern Nevada.² The quantity was eventually reduced to approximately 200,000 acre-ft/yr in 19 basins.

At issue in this petition are 34 of the original 147 applications currently pending in the Spring, Snake, Cave, Dry Lake, and Delamar Valleys. Although filed back on October 17, 1989 the State Engineer's office is only now scheduling hearings on these applications. On January 5, 2006 the State Engineer held a pre-hearing conference to discuss issues related to proposed administrative hearings on the 34 applications. As a result of this conference, the State Engineer issued an Intermediate Order and Hearing Notice on March 8, 2006 setting forth a hearing schedule. Hearings on the 21 applications in Spring Valley are scheduled to commence on September 11, 2006 and subsequent hearings for the Snake Valley and Delamar, Dry Lake, and Cave Valley applications will "be scheduled at some later date." Intermediate Order at 10.

If approved, these 34 applications would permit groundwater development in rural Nevada of a scale and quantity far in excess of any previous undertakings, requiring an extensive and incredibly costly infrastructure development of wells, pipelines, pumping stations, storage reservoirs, and power stations. In short, it would be the biggest groundwater pumping project ever built in the United States: over a \$3 billion effort. The potential economic, social, and environmental effects of this massive and unprecedented effort are therefore of local, regional, and national significance.

According to the U.S. Geologic Survey (USGS) a simulation of the proposed

² Corrected applications for these 146 applications were filed on March 19, 1990 and the corresponding maps were filed on March 22, 1990. Since 1989, approximately 27 of these applications were subsequently withdrawn, approximately 25 have been assigned to other uses or transferred, and several have recently been approved.

groundwater pumping from the region indicates that the project would affect “water levels, the flow of regional springs, and ground-water discharge by evapotranspiration would be affected.” See Ex. 1 at 46. Several “tens of years of pumpage can result in *hundreds of feet* of . . . water-level declines throughout the large area of the aquifer system.” Id. (emphasis added). Indeed, USGS’s model estimates that long-term continued pumping in the Snake and Spring Valleys will result in “substantial simulated drawdowns near Baker, with a maximum of about 450 feet.” Id. at 13. At this rate “many of the isolated cones of depression [in Spring and Snake Valleys will] merge to form larger, composite cones of depression.” Id. Additionally, as “the wells are pumped, the removal of water from the ground-water system can, in some places, result in a decrease of flow at the [area’s regional] springs.” Id. at 31. These regional springs “commonly support large populations of wildlife, including several threatened and endangered species.” Id. SNWA’s proposed sustained pumpage of groundwater can also “cause declines in water levels that may affect plants that send roots down far enough to reach the water table.” Id. at 32. These “plants, known as phreatophytes, are the major source of ground-water discharge in many valleys.” Id.

Given these anticipated impacts – the lowering of groundwater levels by hundreds of feet, the decrease in flow to the regional, wildlife-dependant springs, and the loss of ground-water discharge by evapotranspiration – it is of paramount importance that *all* interested persons in the affected area, i.e., local residents and property owners in Spring, Snake, Cave, Delamar, and Dry Lake Valleys, local business owners, ranchers, and concerned citizens, be given adequate notice of SNWA’s 34 applications and the full opportunity to be heard. See Revert v. Ray, 95 Nev. 782, 787 (1979) (“all interested persons must have had a ‘full opportunity to be heard’”). At a

minimum, these property owners and residents of rural Nevada and Utah, deserve notice of SNWA's 34 applications, the right to file a protest, and, if a hearing is held, the right to participate fully in the hearing process.

ARGUMENT

I. RE-NOTICING SNWA'S 16 YEAR OLD APPLICATIONS IS THE ONLY WAY TO ENSURE THE APPLICATIONS DO NOT CONFLICT WITH EXISTING RIGHTS, PROTECTIBLE INTERESTS, OR PROVE DETRIMENTAL TO THE PUBLIC INTEREST

A. The State Engineer's Duty To Guard Existing Rights, Protectible Interests, And The Public Interest

Pursuant to NRS § 533.375, before "either approving or rejecting [a groundwater] application, the state engineer may require such additional information as will enable him to *guard the public interest properly.*" NRS § 533.375 (emphasis added). This provision grants the State Engineer the authority to require any and all additional information necessary to guard the public interest. See Pyramid Lake Paiute Tribe of Indians v. Washoe County, 112 Nev. 743, 748 (1996). This includes additional information on the extent to which proposed groundwater applications may impact existing rights, domestic wells, and/or the community's supply of water.

Indeed, before making a final decision to either approve or reject a groundwater application, the State Engineer *must first* ensure that there is unappropriated water available in the proposed source, that the appropriation will not conflict with existing rights or with protectible interests in existing domestic wells, and that the application will not prove detrimental to the public interest. See NRS § 533.370.4. Additional requirements also apply to inter-basin transfers of groundwater. See NRS § 533.370.5. These are extremely important,

mandatory duties under Nevada State law. Nevada law explicitly recognizes “the importance of domestic wells as appurtenances to private homes [and] . . . creates a protectible interest in such wells and [individuals’] . . . supply of water from unreasonable adverse effects which are caused by municipal, quasi-municipal or industrial uses.” NRS § 533.024.2 (Legislative Declaration). Under Nevada law, the State Engineer must reject groundwater applications that “conflict with existing rights or with protectible interests in domestic wells” or “threatens to prove detrimental to the public interest.” *Id.*; see also Pyramid Lake Paiute Tribe of Indians, 112 Nev. at 748 (1996) (State Engineer “must determine whether proposed appropriation is detrimental to public interest”); Office of State Engineer v. Morris, 107 Nev. 699, 701 (1991) (State Engineer “must deny applications . . . when the proposed use conflicts with existing rights or is detrimental to the public interest”); United States v. Alpine Land & Reservoir Company, 341 F. 3d 1172, 1180 (9th Cir. 2003) (“State Engineer must reject an application . . . where its proposed use conflicts with existing rights, or would be detrimental to the public interest”).

In the vast majority of cases, Nevada water law’s procedural safeguards for processing water applications ensure that the public interest and private rights are adequately represented and protected. Nevada water law provides all interested persons the opportunity to protect such interests and rights by participating fully in the application process. See NRS § 533.365. Once a groundwater application is filed, the State Engineer is required to “publish or cause to be published once a week for 4 consecutive weeks” notice of the application in the local newspapers. NRS § 533.360.1. For municipal use applications (as is the case with respect to SNWA’s 34 applications), the State Engineer is also required to “mail a copy of the application to each owner of real property containing a domestic well that is within 2,500 feet of the

proposed well.” NRS § 533.360.3. Once proper notice of the applications is given any interested person may file “within 30 days from the date of last publication of the notice of application” a written protest with the State Engineer against the granting of the application. NRS § 533.365.1. The State Engineer is then required to “consider the protest, and may, in his discretion, hold hearings.” NRS § 533.365.3. If the State Engineer decides to hold hearings, he must give notice of the hearing by certified mail to both the applicant and the protestant. The notice “must state the time and place at which the hearing is to be held and must be mailed at least 15 days before the date set for the hearing.” *Id.* Each person who filed a timely protest is given full party status at the hearing, i.e., allowed to participate at any pre-hearing conferences, conduct discovery, present evidence, and cross-examine witnesses. See NAC §§ 533.010 to 533.380 (Practice and Procedure in Protest Hearings Before State Engineer).

In sum, these procedural safeguards ensure that all interested persons and organizations are given notice and a full opportunity to be heard. These procedural safeguards also ensure that the State Engineer issues final decisions on applications only after taking into account all existing rights and the public interest.

B. Re-noticing SNWA’s 16 Year Old Applications Is The Only Way To Guard Existing Rights, Protectible Interests, And The Public Interest

In this unique case, re-noticing SNWA’s 16 year old applications is the only way the State Engineer can comply with Nevada water law’s duty to guard existing rights, protectible interests, and the public interest.

Unlike the typical application process outlined above and anticipated by Nevada water law whereby citizens are given notice and the opportunity to file protests, here SNWA’s 34

applications were filed over 16 years ago – on October 17, 1989 – and are only now being adjudicated. While each of the 34 applications were noticed and protested back in October, 1989 no final decision or hearings on the applications have been held to date. Thus, there is over 16 years of delay and postponement between SNWA’s original filing of the 34 applications and the State’s proposed hearings on such applications.³ During this 16 year period, many changes have occurred. There are approximately 42 identified new residents, business owners, property owners, and interested citizens, many with domestic wells and/or water rights, now living in the vicinity of the applications who wish to protest the applications. See Ex. 41. For instance, Clark W. Miles purchased the Smith Creek Ranch with water rights in the Snake Valley in 1995 – 5 years after SNWA’s applications were filed. Mr. Miles, who has been denied his right to protest the applications, is extremely concerned about how SNWA’s applications will impact his existing water rights. See Ex. 3 at 1. The same is true with respect to Bruce and Pamela Jensen. Ten years ago, Bruce and Pamela Jensen began running a 1,000 head calf cow ranch near Lund, Nevada – just east of Spring Valley. See Ex. 14. They “need the water for [their cattle] business” but have been denied the right to receive notice and file a protest on SNWA’s applications. Ex. 14. Donald Duff is a property owner in the Snake Creek drainage in the Snake Valley with “water and riparian-meadow lands that would probably be affected by SNWA’s applications.”

³ Prior to the 2003 amendments to NRS § 533.370, Nevada water law required the State Engineer to take action either approving or rejecting an application within one year except in two limited exceptions: (1) upon written authorization by both the applicant and protestants to postpone such action; or (2) in areas where studies of water supplies were determined necessary by the State Engineer or where court action were pending. See NRS § 533.370 (1989). Recognizing its failure to comply with this postponement provision SNWA, in 2003, proposed amendments to Senate Bill 336, introduced by Senator Hardy, to allow the State Engineer to postpone action beyond the one year deadline on applications for municipal use and “preserve” the active status of such applications following the one-year timeframe.

Ex. 36. Because Mr. Duff purchased his property after the 16 year old applications were filed, he too is being denied his right to file a protest. See id.

There are also a number of post-1989 residents of and/or property owners in Baker, Nevada who wish to protect their water supply and way of life but are being shut out of the application process because they were not around to file protests 16 years ago. Raymond Timm, Theodore Stazeski, Susan and Donald Geary, Robert Ewing, Robert and Joyce Nickerson, Edward J. Weisbrot, Pamela Pedrini, Terrence Marasco, Bryon Hamilton, Laurie Cruikshank, Donald Duff, Elisabeth Douglass, Jamie Deneris, Abigail Johnson, Nomi Martin-Sheppard, and Wilda K. Garber are just some of the “new” residents of Baker, Nevada who have effectively been shut out of the process. Mr. Marasco is a post-1989 resident and business owner (hotel, restaurant) in Baker, Nevada. See Ex. 23. Mr. Marasco is interested in protesting SNWA’s applications in the region and participating fully at the upcoming hearings because he is concerned about the “negative impacts on [his] business which is dependant on tourism, hunting, and fishing . . . [and the] negative impacts on plants and animals.” Ex. 23 at 1. In Mr. Marasco’s own words the State Engineers’s office has “not allowed me to protest” because he acquired his property and business “after the original applications were filed.” Id.

Another resident of Baker, Nevada – Bryon Hamilton – is concerned about the applications’ potential to “lower property values, decimate the local agricultural industry, eradicate riparian and phreatyphyte vegetation, and rob the county of potential economic growth.” Ex. 24 at 1. Mr. Hamilton was “*14 years old* when the applications were filed” and, as such, “was not actively following Nevada water applications” at the time. Id. at 2 (emphasis added). In 1999 and 2005, the Long Now Foundation purchased land in Spring Valley. See Ex.

19. The Foundation is concerned that SNWA's 19 applications in Spring Valley will threaten "the natural habitat, landscape, environment, and [way of life for the] inhabitants of Spring Valley." Ex. 19 at 1. Nonetheless, because the Foundation "made land purchases in 1999 and 2005" – after the applications were filed in 1989 – they too are effectively being shut out of the adjudication process. Id. at 2.

The Great Basin Water Network – an organization specifically created to encourage sustainable development, promote equity in the use of water, and protect the public's interest in groundwater in the Great Basin – is also being denied the right to file a protest. See Ex. 40. The Water Network "never received notice [of SNWA's applications] or was given the opportunity to file a protest because the Great Basin Water Network was not in existence [in 1989, when the applications were filed] and was not aware that it was happening. Initial plans for the groundwater development project were not available then and the broad scope and magnitude of the project was not known." Id. at 2.

The Great Basin and Utah Council Chapters of Trout Unlimited ("TU") are two other post-1989 organizations that have effectively been shut out of the application process. See Ex. 48, 50. The Great Basin Chapter of TU is an organization focused on "the recovery of native fisheries in the west desert of Utah and eastern Nevada and the restoration and protection of aquatic riparian habitats in these watersheds." Ex. 48. The Great Basin Chapter is "concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because of the potential threat groundwater pumping might have on either reduction of or loss of perennial stream and springs flows in Spring and Snake Valleys." Ex. 48 at ¶ 8. However, because the Great Basin Chapter of TU had "not been formed as a Chapter of Trout Unlimited"

at the time SNWA's applications were filed over 16 years ago, they too are being deprived of the right to defend their interests, receive notice, and file a protest. See Ex. 48 at ¶ 10. The Utah Council Chapter of TU has also been deprived of notice and the opportunity to protest SNWA's applications.. See Ex. 50. The "Utah Council of TU never received notice or was given the opportunity to file a protest because [they were] not informed by the Nevada State Engineer of the applications [which] . . . might possibly affect Utah's waters, fisheries, and wildlife resources located with the Snake Valley Aquifer System." Ex. 50 at ¶ 10.

Defenders of Wildlife ("Defenders"), a national nonprofit with over 3,000 members in the State of Nevada, would also like to have received notice of, and if necessary, protest SNWA's applications. See Ex. 42. Since the filing of SNWA's applications, Defenders has grown increasingly concerned with how SNWA's groundwater plans in Nevada will impact National Wildlife Refuges and other public and private lands within Nevada – lands that "support an incredible diversity of rare and endangered species, many of which exist nowhere else in the world." Ex. 42 at ¶ 14. According to Defenders, many "of these species, including the Moapa dace, Southwestern willow flycatcher, Ash Meadows Amargosa pupfish, Ash Meadows speckled dace, Virgin River chub, White River spinedace, and the Pahrump poolfish, could be adversely affected if SNWA's proposed groundwater pumping the isolated surface waters and other riparian areas they depend upon for their continued existence." Id. Since Defenders' interests have greatly changed and evolved since 1989, they "strongly feel that [they] should have an opportunity to address and protect [their] interests in relation to the SNWA applications." Id. at ¶ 18.

Additionally, questions arise as to whether adequate notice of SNWA's applications was

ever provided to residents of Utah's Juab and Millard Counties in the Snake Valley. David Bagley, an 85 year old resident of Juab County declares that he never received notice of SNWA's applications: "they never let us know." Ex. 2 at 2. Kenneth and Kathryn Hill have resided in Utah's Juab County for 31 years. See Ex. 7 and 8. According to the Hills, "during the 1989 filings very little notification was made in Utah and communications here were less advanced than now. We were not made aware of the potential impacts – which are now increased by [the] addition [of] applications to remove water from regional aquifers." Ex. 8 at 2. Notification "was limited in Utah and I never heard about the water applications." Ex. 7 at 2; see also Ex. 10 (Declaration of Beth Anderson) (rancher in Juab County, Utah who failed to receive notice and is concerned about "the effect [SNWA's applications] will have on the ground water quality and quantity" in her wells in and around the ranch). Veronica F. Douglass also owns a ranch just across the Nevada/Utah border in Juab County. As a landowner in the Snake Valley, she is concerned that SNWA's applications "could affect and threaten [their] existing use of water from wells and streamflow" thereby putting at risk her family's "continued survival and livelihood on [the] ranch as well as affect[ing] future ranching operations of [her] children and grandchildren." Ex. 43. Ms. Douglass, like so many other Utah residents, "was not informed by the Nevada State Engineer of [SNWA's] applications." Id.

There are also a number of individuals who "inherited property from their parents and/or relatives over the last 16 years" and now wish to participate. See Ex. 41 at ¶ 11. These individuals include Tandora Wilson, Parker Damon, Deborah Torvinen, Jim Rasmussen, and Anna Heckethorn (Ms. Heckethorn's deceased husband, Gene, protested application number 54026). Id. These individuals could not have filed protests at the time SNWA's applications

were filed.

Equally compelling, approximately 219 of the 285 original 1989 protestants never received notice of the State Engineer's January 5, 2006 pre-hearing conference and have yet to receive notice of the upcoming hearings. Approximately 26 of these individuals have been identified by the Great Basin Water Network. See Ex. 41 at ¶ 9; Ex. 27-35, 45-47 (Declarations from individuals). For example, Walter Benson from Ely, Nevada protested application number 54021 but never received notice of either the pre-hearing conference on this application or notice of the upcoming hearings scheduled to begin this fall. See Ex. 27. The same is true for Selena Weaver, Mary Collins, Candi Ashby, Sally Gust, Bruce Ashby, Daniel Maes, Robert Marcum, Tara Foster, Marie and James Jordan, and Rutherford Day. See Ex. 28-35, 45-47. All of these individuals protested specific applications but for whatever reason (change of address, post office mix up, etc . . .), never received notice of the hearings. Most of these individuals reside in Ely, Nevada where the establishment of the "new" Ely Post Office likely resulted in mail forwarding errors. See Ex. 41 ¶ 9. According to Ms. Garrett:

Until the late 1990's there were two separate post offices in the Ely area, one of them being East Ely, NV 89315. In 1998 this office was closed and merged with the "downtown" Ely Post Office, 89301. Thereafter, a new larger Ely Post Office was established in the newly developing southeast section of town. For a time, the "downtown" office continued to operate simultaneously. During this period, many longtime residents were given the option of street delivery, or a new P.O. Box number. When the "downtown" office finally closed in 1999, all services moved to the newly established Ely Post Office. P.O. Box holders were then assigned Zip Code 89315, and all others 89305. In the complexities of this multiple transition, I'm told by Post Office employees [that] systematic forwarding of mail became extremely difficult.

Ex. 41 ¶ 9. Further, many of the original protesters received notice of the hearing but are now confused by and do not understand the hearing process. See Ex. 41 at ¶ 12. Several of these

individuals had, during the past year, “been focused on and participating in the Bureau of Land Management’s EIS process for the Southern Nevada Water Authority and mistakenly took the State Engineer’s notification as a function of the EIS proceedings and put it aside. Others were discouraged from responding for financial reasons [as] the notice seemed to imply that the services of an attorney were required and that participants would incur unspecified costs in connection with recording the hearing.” Id.

Finally, as SNWA itself concedes, the circumstances and facts surrounding their groundwater applications “have changed materially” since originally filed back in 1989. In a February 9, 2006 letter to the State Engineer, SWNA states that “both the total number of groundwater applications and the number of hydrographic basins that the SNWA is requesting action on have decreased significantly . . . [a]lso, a number of hydrologic studies regarding the recharge and evapotranspiration in these valleys have been conducted, which has resulted in the modification of recharge rates and related perennial yield numbers.”

Without question, all of these extraordinary circumstances which stem from over 16 years of delay between the filing of the applications and scheduled hearings on such applications warrant the re-noticing of SNWA’s 34 applications. By themselves and in the aggregate the existence of new property owners, inheritors of property, protestants who never received notice, confusion, and material changes in the facts surrounding the applications require re-noticing of SNWA’s 34 applications. The State Engineer cannot logically or legally protect existing rights, protectible interests, or the public interest at large in this case unless *all* individuals and organizations that possess such rights and interests are given notification of the applications and are afforded the opportunity to file a protest and fully participate in any subsequent hearings.

Notably, all of the above mentioned individuals, business owners, ranchers, and organizations who reside or own property in the affected region believe that SNWA's applications are not in the public interest. See Ex. 2- 47 (applications not in the public interest); Ex. 40 at 3 ("As a resident and property owner in White Pine County . . . we believe that Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners who live in White Pine County or neighboring Utah counties").

II. RE-NOTICING SNWA'S 16 YEAR OLD GROUNDWATER APPLICATIONS IS THE ONLY WAY TO COMPLY WITH THE DUE PROCESS GUARANTEES OF THE U.S. CONSTITUTION

Statutory compliance aside, the only way to comply with the due process guarantees of the Fourteenth Amendment to the U.S. Constitution and Article 1, § 8 (5) of the Nevada Constitution is to re-notice SNWA's 34 applications. This is because the Petitioners – many with existing rights and domestic wells in the vicinity of the applications – have protected property interests, and, as such, must receive notice and the opportunity to be heard and defend their interests before a decision on SNWA's applications is made.

A. The Procedural Due Process Guarantees Of The U.S. Constitution

The procedural due process guarantees of the Fourteenth Amendment to the United States Constitution prevent government entities from depriving an person of "life, liberty, or property, without due process of law." Amdt. 14, § 1. This guarantee is designed to protect an individual's right to be heard and to prevent unjust, irrational, and uninformed decisions by governmental entities. See Goldberg v. Kelly, 397 U.S. 254 (1970). At its core, the "fundamental requisite of due process of law is the opportunity to be heard." Goldberg, 397 U.S. at 267.

In order to determine whether a governmental action raises procedural due process considerations, the Courts engage in a “familiar two-part inquiry.” Logan v. Zimmerman Brush Co., 455 U.S. 422, 428 (1982). First, the Courts look to whether there is a life, liberty, or property interest that is being taken away. The Courts must determine whether a deprivation of a protected interest has occurred. The “requirements of procedural due process only apply to the deprivation of interests encompassed by the Fourteenth Amendment’s protection of liberty and property.” Board of Regents of State Colleges v. Roth, 408 U.S. 564, 569 (1972). Second, if a protected interest exists, the Court conducts an inquiry into what process is due. This inquiry involves a weighing of the individual’s protected interest with the government’s interest in efficiency. Id. at 570. At a minimum, however, when protected interests are at stake the right to receive notice and “some kind of prior hearing is paramount.” Id. When a “State seeks to terminate (a protected) interest . . . it must [at a minimum] afford ‘notice and opportunity for hearing appropriate to the nature of the case’ before the termination becomes effective.” Id. at n. 7.

B. Re-noticing SNWA’s 16 Year Old Applications Is The Only Way To Comply With The Procedural Due Process Guarantees Of The U.S. Constitution

In this case, a decision by the State Engineer not to re-notice SNWA’s 16 year old applications and re-open the protest period will effectively deprive Petitioners of their property interest in protecting their personal and the community’s supply of water (i.e., their existing rights and domestic wells) for person consumption, local businesses and ranches, and wildlife habitat without due process of law.

It is well understood that property interests protected by the Fourteenth Amendment may

take many forms, extending “well beyond actual ownership of real estate, chattels, or money.” Id. at 570. For instance, a person receiving welfare benefits under statutory and administrative standards has a property interest in continued receipt of those benefits. See Goldberg v. Kelly, 397 U.S. 254 (1970). In the area of public employment, college professors and staff members dismissed during the terms of their contracts have property interests in continued employment. See Wieman v. Updegraff, 344 U.S. 183 (1952). Lawyers seeking admission to practice before the Board of Tax Appeals have a property interest and claim to practice before the Board. See Roth, 408 U.S. at 576 n. 15 (citing Goldsmith v. U.S. Board of Tax Appeals, 270 U.S. 117 (1926)). Indeed, many of the most important property interests identified in due process law now flow from government benefits: “subsidies to farmers and businessmen, routes for airlines and channels for television stations; long term contracts for defense, space, and education; social security pensions for individuals.” Goldberg, 397 U.S. at 262 n. 8. Such government benefits or sources of security are “no longer regarded as luxuries or gratuities; to the recipients they are essentials, fully deserved, and in no sense a form of charity.” Id.

In these cases, to have a protected property interest in a government benefit a “person clearly must have more than an abstract need or desire for it. He must have more than a unilateral expectation of it. He must instead have a legitimate *claim of entitlement* to it.” Roth, 408 U.S. at 576 (emphasis added); Town of Castle Rock v. Gonzales, 125 S. Ct. 2796, 2809 (2005). To have a claim of entitlement is to have a reasonable expectation or reliance on receiving the benefit. See id. at 577. This reasonable expectation or reliance – this entitlement – is grounded in state law. Id.; see also Logan, 455 U.S. at 430. In this respect, claims of entitlement are created, and their dimensions are defined, not by the U.S. Constitution but “by

existing rules or understandings that stem from an independent source such as state law – rules or understandings that secure certain benefits and that support claims of entitlement to those benefits.” Roth, 408 U.S. at 576.

Thus, the welfare recipients in Goldberg had a claim of entitlement to welfare payments grounded in a state statute defining eligibility for welfare benefits. In Logan, the state created right to use adjudicatory procedures to redress employment discrimination was grounded in the state’s requirement of dismissal only “for cause.” Logan, 455 U.S. at 431. Conversely, if state law gives government officials the discretion to grant or deny a benefit then no legitimate claim of entitlement exists. See Town of Castle Rock, 125 S. Ct. at 2803. Notably, in all of these entitlement cases, the Courts look to the plain language of state law to determine whether a interest in a governmental benefit rises to the level of being a legitimate claim of entitlement – a property interest – protected by the procedural due process guarantees.

Relevant here are the Supreme Court’s rulings that access to state judicial or administrative processes as a means of protecting one’s interests constitute protected property interests. See e.g., Fuentes v. Shevin, 407 U.S. 67 (1972) (hearing required before goods may be repossessed); Bell v. Burson, 402 U.S. 535 (hearing required before suspension of uninsured motorists’ license); Wisconsin v. Constantineau, 400 U.S. 433 (1971) (hearing required before posting of notice forbidding sale of liquor); Goldberg, 397 U.S. 254 (1970) (notice and hearing required before termination of welfare benefits). These decisions have “developed a doctrine of entitlements to protect what has been variously described as ‘statutory entitlements’ or ‘important interests.’” Lamb v. Hamblin, 57 F.R.D. 58,61 (D. Minn. 1972) (citing Bell, 402 U.S. at 539). Such right or entitlement to “participate in administrative or adjudicatory proceedings exists

when “*fundamental interests* are present and the state has exclusive control over the adjustment of the legal relationship[s] involved.” Logan, 455 U.S. at 430 n. 5.

In Logan, the Supreme Court ruled that an person’s right to use the adjudicatory procedures of the Fair Employment Practice Act (FEPA) was a “species of property protected by the due process clause.” The Court “traditionally has held that the Due Process Clauses protect civil litigants who seek recourse in the courts, either as defendants hoping to protect their property or as plaintiffs attempting to redress grievances.” Id. at 429; see also Boddie v. Connecticut, 401 U.S. 371, 380 (1971) (state’s imposition of filing and other fees upon indigents was denial of due process). Once the state has made access to the courts an entitlement or necessity, the State may not deprive an individual of that access in the absence of significant countervailing state interests. See id. at 430 n.5. To do so would be “the equivalent of denying them the opportunity to be heard upon their claimed rights.” Boddie, 401 U.S. at 380.

Here, there can be little doubt that the Petitioners’ interest in protecting their personal and the community’s supply of water for personal consumption, local businesses and ranches, and wildlife falls within the same constitutional protections afforded welfare benefits, wages, drivers’ licenses, reputations, and water services. See e.g., Lamb, 57 F.R.D. at 61. Petitioners’ interests are fundamental, important interests that are firmly grounded in Nevada water law. The Petitioners have a more than an “abstract need” or desire to protect such interests. They have a strong expectation and reasonable reliance on being able to protect such interests based on the plain language of Nevada water law. See NRS §§ 533.360 to 533.370 (appropriation of public waters).

The Nevada State legislature declares up front that “it is the policy of the state . . . to

recognize the importance of domestic wells as appurtenances to private homes, to create a protectible interest in such wells and to protect their supply of water from unreasonable adverse effects which are caused by municipal, quasi-municipal or industrial uses and which cannot be reasonably mitigated.” NRS § 533.024. In accordance with this policy, Nevada water law *mandates* that all “interested persons” be: (1) given notice of any proposed application to appropriate public water (in a newspaper of general circulation and to land-owners within 2,500 feet of a proposed well); and (2) the opportunity to file “a written protest against the granting of [a water] application setting forth with reasonable certainty the grounds for such a protest.” NRS §§ 533.360.1; 533.365.1. In other words, Nevada law entitles all “interested persons” to receive notice of a proposed application and the right to protest the application if they should choose to do so. These are not discretionary directives, but mandatory, non-discretionary duties under Nevada water law. See e.g., NRS § 533.360.1 (the State Engineer “*shall* . . . publish” notice of application); NRS § 533.360.3 (applicant “*shall* mail a copy of the notice of application to each owner of real property”); NRS § 533.365.1 (State Engineer must then provide for 30 day protest period and “*shall* consider the protest[s]” of all interested persons); NRS § 533.365.3 (State Engineer “*shall* give notice of the hearing”).

In this case, therefore, the Petitioners reasonably relied on Nevada water law’s mandatory notice and protest procedures to protect and defend their interests. Petitioners reasonably relied on receiving notice of a groundwater application and on their ability to file a protest. In fact, Nevada water law’s notice and protest provisions provide the *only means* for interested persons like the Petitioners to effectively protect and defend their fundamental interests – the only way individuals can defend their existing rights and domestic wells from SNWA’s groundwater

applications. See e.g., Logan, 455 U.S. at 428 (the “state has exclusive control over the adjustment of the legal relationship[s] involved”). It is axiomatic, therefore, that the only way Petitioners can actually participate in this exclusive process is if they are: (1) first given adequate notice of the groundwater applications; and (2) then given an opportunity to file a protest 30 days thereafter. If individuals are not given notice and hence deprived of the opportunity to file a protest, they are unable to protect and defend their fundamental interests and are effectively shut out of the application process. They have no recourse to defend their existing rights, domestic wells, or the community’s supply of water from SNWA’s applications.

This is precisely the situation with respect to SNWA’s 16 year old groundwater applications. Individuals seeking to protect their fundamental interests are being shut out of the application process having never been given notice or an opportunity to file a protest. These are individuals with domestic wells (a “protectible interest” under Nevada law) and existing rights in the vicinity of the applications. See Ex. 2 - 47. These are individuals, organizations, and local businesses seeking to conserve the community’s local supply of water by protecting it from SNWA’s applications. See id. These are also individuals and organizations seeking to protect the unique and fragile wildlife populations and habitat in the region. See Ex. 42. This is not a situation in which the Petitioners failed to comply with a reasonable procedural requirement. See e.g., Logan, 455 U.S. at 434 n.7. Petitioners did not fail to see the notice of the applications or miss the deadline for filing a protest. On the contrary, the Petitioners were *never given notice* or afforded the opportunity to file a protest and participate in the hearings are required by the due process clause because they either: (1) acquired or inherited property or rights after the October 17, 1989 applications were filed; (2) were too young in 1989 to file a protest; or (3) actually filed

a protest in October, 1989 but never received notice of the hearings on the applications as required by Nevada water law. See Ex. 2- 47.

Having established that the Petitioners have a protected property interest, by law the State of Nevada cannot deprive Petitioners of these interests without first giving them the opportunity to be heard in a “meaningful manner.” Goldberg, 397 U.S. at 267 (citations omitted). When a “State seeks to terminate (a protected) interest . . . it must [at a minimum] afford ‘notice and opportunity for hearing appropriate to the nature of the case’ before the termination becomes effective.” Roth, 408 U.S. at 569 n. 7. Being heard “in a meaningful manner” in this case requires the State to: (1) re-notice SNWA’s 34 applications; (2) provide for a new protest period following compliance with the notice provisions; and (3) if a pre-hearing and hearing is held, allowing all protestants to participate with full party status, i.e., conduct discovery, present evidence, and cross-examine witnesses.

While the State did notice SNWA’s 34 applications 16 years ago, given the circumstances surrounding this case, such notice is entirely insufficient to satisfy due process guarantees. Indeed, since 1989, more than a million residents have moved to Nevada and many of the original protestants have moved, are now deceased, or are otherwise unreachable. Hundreds, if not thousands, of citizens have moved to White Pine and Lincoln Counties over the last 16 years. Approximately 42 *identified* new property owners and/or residents now live in the vicinity of SNWA’s 34 applications. See Ex.41 at ¶ 10. This number does not include the countless others who would protest if the applications were publicly re-noticed. During this same time, new organizations such as the Great Basin Water Network and Great Basin Chapter of Trout Unlimited committed to protecting the Great Basin’s precious groundwater resources have also

emerged. Other organizations such as Defenders of Wildlife have expanded their mission and advocacy to focus on protecting biological diversity to include many endemic and rare fish and aquatic species that live in and depend on rural Nevada's unique springs and seeps – many of which are threatened by SNWA's applications. See Ex. 42. For these organizations and individuals, the now 16 year protest period following SNWA's October, 1989 applications does not constitute adequate notice and process. Indeed, these organizations and individuals received no notice and no opportunity to participate and protest SNWA's applications in a meaningful way.

III. RE-NOTICING SNWA'S 16 YEAR OLD GROUNDWATER APPLICATIONS WILL NOT UNDULY DELAY THE HEARING PROCESS OR PREJUDICE SNWA

As a practical matter, re-noticing SNWA's 34 applications will not unduly delay the scheduled hearings on SNWA's applications or prejudice SNWA. Under Nevada water law, notice of SNWA's 34 applications will trigger no more than 4 weeks of publication in a newspaper of general circulation. See NRS § 533.360.1. Once the notice period has expired, a 30 day protest period will commence. See NRS § 533.365. Once the protest period has run, the State Engineer may then schedule hearings on SNWA's applications.

For example, in this case, the State Engineer could: (1) proceed with the September 11, 2006 Spring Valley hearings and allow the petitioners and/or all newly identified protestants to participate with full party status at the hearing (WELC could represent the petitioners); and (2) re-notice SNWA's applications in the Snake, Delamar, Dry Lake, and Cave Valleys on September 1, 2006. The notice for the Snake, Delamar, Dry Lake, and Cave Valley applications

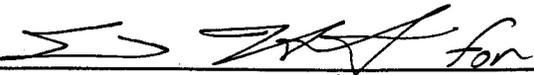
would expire on October 2, 2006 and the subsequent 30 day protest period would end on November 2, 2006. A pre-hearing conference on the applications could be held thereafter – perhaps by the end of December, 2006 – and the hearings themselves could begin in March, 2007. By taking this reasonable approach, the State Engineer would avoid any and all delay.

Without question, the cost to the State Engineer's Office and SNWA to re-notice the applications, while mildly burdensome, is overwhelmingly outweighed by the private and public interest in ensuring that all interested persons are notified and afforded the opportunity to file formal protests. Given that over 16 years has passed since the original filing of SNWA's applications, an additional 3 to 6 months of delay to ensure that all interested persons are given an opportunity to be heard is entirely fair and reasonable. This is especially true when one considers that any decision not to re-notice the applications would confer an enormous benefit on SWNA by drastically whittling down the legal objectors to its massive water grab and allowing it to maintain senior water rights despite the complete absence of due diligence and timely action that are at the heart of Nevada water law.

CONCLUSION

For all the forgoing reasons, the Petitioners respectfully request that the State Engineer exercise its authority pursuant to NRS § 533.375 and re-notice SNWA's 34 applications in the Spring, Snake, Cave, Dry Lake, and Delamar Valleys. In the alternative, the Petitioners request that they be given the opportunity to participate in all upcoming hearings on SNWA's 34 applications as full protestants and/or interested persons with the right to conduct discovery, present evidence, and cross-examine witnesses (i.e., full party status).

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

IN THE MATTER OF APPLICATIONS 53987)
THROUGH 53992, INCLUSIVE, AND 54003)
THROUGH 54030, INCLUSIVE, FILED BY)
LAS VEGAS VALLEY WATER DISTRICT TO)
APPROPRIATE THE UNDERGROUND)
WATERS OF DELAMAR VALLEY (182))
DRY LAKE VALLEY (181), CAVE VALLEY)
(180), SPRING VALLEY (184), AND SNAKE)
VALLEY (195) HYDROGRAPHIC BASINS)
LINCOLN AND WHITE PINE COUNTIES,)
NEVADA)

**EXHIBITS IN SUPPORT OF
PETITION FOR
DECLARATORY ORDER
TO RE-NOTICE 16 YEAR OLD
GROUNDWATER
APPLICATIONS IN THE
DELAMAR VALLEY, DRY
LAKE VALLEY, CAVE
VALLEY, SPRING VALLEY,
AND SNAKE VALLEY**

Simulated Effects of Proposed Ground-Water Pumping in 17 Basins of East-Central and Southern Nevada

By DONALD H. SCHAEFER and JAMES R. HARRILL

U.S. GEOLOGICAL SURVEY

Water-Resources Investigations Report 95-4173

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BUREAU OF LAND MANAGEMENT, and
BUREAU OF INDIAN AFFAIRS



Carson City, Nevada
1995

EXHIBIT

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CONVERSION FACTORS AND VERTICAL DATUM

Multiply	By	To obtain
acre-foot (acre-ft)	0.001233	cubic hectometer
acre-foot per year (acre-ft/yr)	0.001233	cubic hectometer per year
cubic foot per second (ft ³ /s)	0.02832	cubic meter per second
foot (ft)	0.3048	meter
mile (mi)	1.609	kilometer
pound per square inch (lb/in ²)	0.07031	kilogram per square centimeter
square mile (mi ²)	2.590	square kilometer

Equivalents: 1 acre-foot per year (acre-ft/yr) = 0.0014 cubic foot per second (ft³/s); 1 ft³/s = 724 acre-ft/yr.

Sea level: In this report, "sea level" refers to the National Geodetic Vertical Datum of 1929 (NGVD of 1929, formerly called "Sea-Level Datum of 1929"), which is derived from a general adjustment of the first-order leveling networks of the United States and Canada.

Simulated Effects of Proposed Ground-Water Pumping in 17 Basins of East-Central and Southern Nevada

By Donald H. Schaefer and James R. Harrill

ABSTRACT

The Las Vegas Valley Water District filed 146 applications in 1989 to pump about 800,000 acre-feet per year (acre-ft/yr) of ground water from 26 basins in east-central and southern Nevada, for use in the Las Vegas urban area. The quantity of water that they proposed to pump was eventually reduced to a maximum of 180,800 acre-ft/yr in 17 basins. A previously constructed, two-layer computer model of the carbonate-rock province was configured to simulate transient conditions and used to develop first approximations of the possible effects of these withdrawals. Simulations were made using the phased pumping schedule proposed by the water district that reaches a maximum pumpage rate of 180,800 acre-ft/yr after 18 years. No other pumping was simulated, so the results represent only effects of pumping proposed by the water district. Existing pumping was not simulated in the original model, so the effects simulated in this report are superimposed on conditions that are representative of the carbonate-rock province prior to any development.

The simulations indicate that the proposed pumping would cause water-level declines in many ground-water basins, decreased flow at several regional springs, and decreased discharge by evapotranspiration from the basins.

Ground-water levels ultimately could decline several hundred feet in the basins scheduled to supply most of the pumped ground water.

Model declines in the carbonate aquifer are somewhat larger than simulated declines in the overlying basin-fill deposits.

Simulated regional springflow decreased in several cells, including those representing the Muddy River springs, Hiko-Crystal-Ash Springs area, and the Ash Meadows springs area. Model simulations show flow decreases of about 11 percent, 14 percent, and 2 percent, respectively, at these springs after about 100 years of pumping.

Simulated evapotranspiration also decreased in many basins; the largest decreases are in basins where ground-water withdrawals are greatest. These basins include Railroad, Spring, and Snake Valleys. The largest decrease in simulated evapotranspiration occurred in southern Railroad Valley—about 33 cubic feet per second (64 percent) after about 100 years of pumping.

Model-sensitivity tests indicate that long-term results are relatively insensitive to variations in values used for aquifer storage. Model simulations were made using a 50-percent variation in upper-layer storage coefficients and a range of values for the lower layer. The analysis showed little deviation in model results of water-level changes, springflow, or evapotranspiration rates.

The simulation results are based on a computer model of regional ground-water flow that greatly simplifies the complex distribution of geology and, consequently, the hydraulic properties of many of the rocks in the Great Basin. The adequacy of the model to simulate the effects of

this proposed pumping cannot be tested until pumping stresses have been in place long enough to cause measurable effects within the system.

INTRODUCTION

The carbonate-rock province of the Great Basin is characterized by a series of generally north- to northeast-trending mountain ranges composed predominantly of carbonate rocks (limestone and dolomite) of Paleozoic age. The intervening valleys are filled with detritus (gravels, sands, silts, and clays) eroded from the adjacent mountain ranges. These basin-fill deposits may be several thousand feet thick (Plume and Carlton, 1988).

Virtually all types of rocks and deposits within the province contain ground water. The basin-fill deposits are the primary aquifer system, and most of the present ground-water pumpage is from these deposits. Carbonate rocks that form some of the mountain ranges and underlie the basin-fill deposits in many areas may also be significant ground-water reservoirs in some places. Where they are fractured or contain solution openings, the carbonate rocks commonly can act as conduits for regional ground-water flow. Most of the larger regional springs in the province issue from carbonate rocks or from basin-fill deposits overlying or adjacent to carbonate rocks. These springs discharge ground water that has moved through the regional flow systems in the carbonate-rock aquifers from distant source areas.

As part of the Great Basin Regional Aquifer-System Analysis (RASA) project, the 100,000-mi² carbonate-rock province (fig. 1), also termed "the province" herein, was modeled using a digital, ground-water flow model to refine concepts of regional ground-water flow in the Great Basin (Harrill and others, 1983 and 1988; Prudic and others, 1993). The modeling is described in detail by Prudic and others (1993). In general, the simulated flow in the eastern and northern parts of the province is northward toward the Great Salt Lake and the Humboldt River; elsewhere in the province, flows are generally southward, toward either Death Valley or the Virgin and Colorado Rivers (fig. 2). A summary description of the various local and regional ground-water flow systems was reported by Harrill and others (1988).

In 1989, the Las Vegas Valley Water District (LVVWD) filed 146 applications with the Nevada State Engineer for water rights in east-central and southern Nevada. These original applications were for 26 basins throughout the carbonate-rock province and totaled about 800,000 acre-ft/yr of ground-water withdrawals. The total amount of pumpage was eventually reduced to a maximum 180,800 acre-ft/yr from 17 basins, or hydrographic areas¹ (figs. 1 and 3; LVVWD, written commun., 1992).

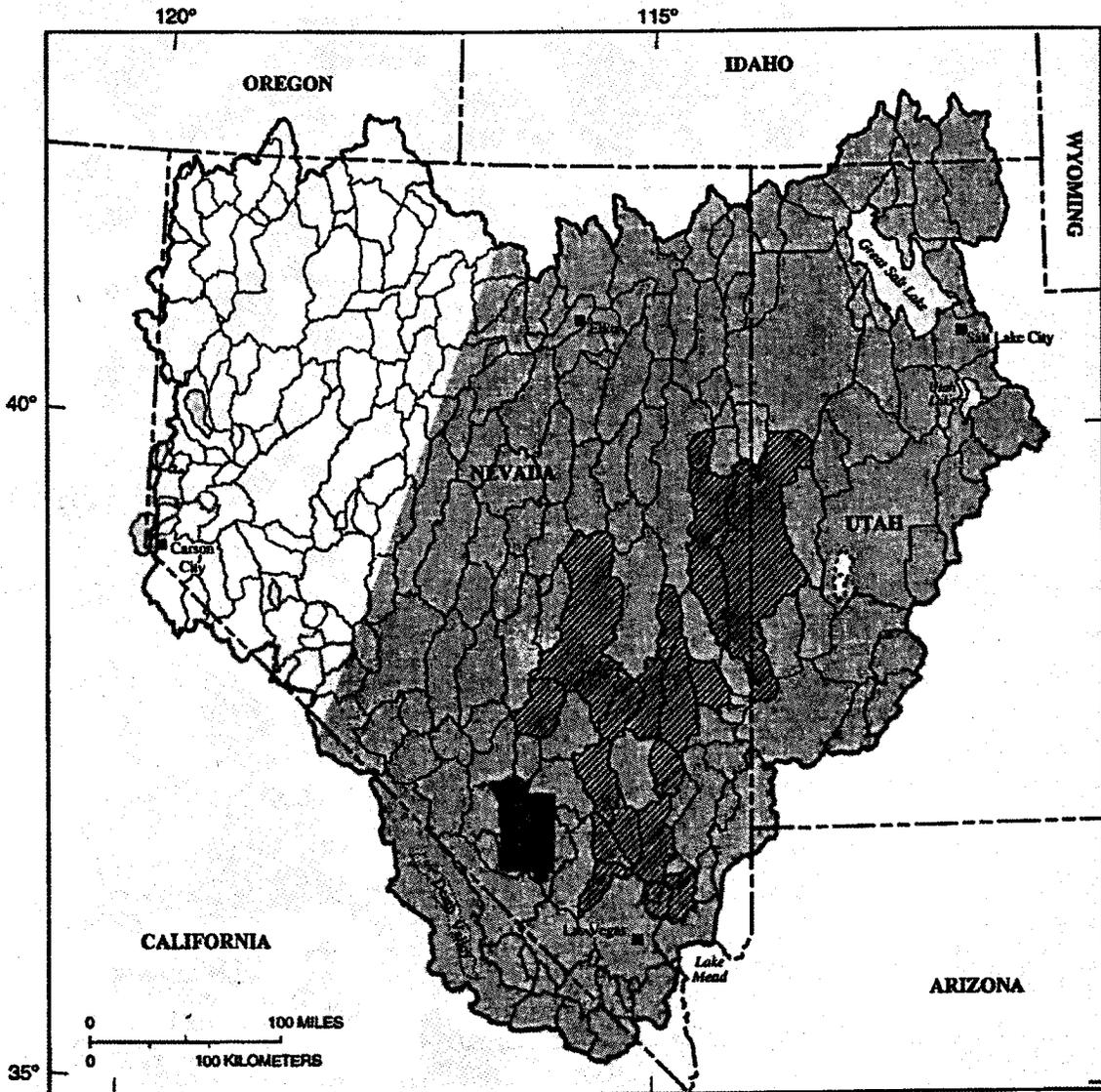
In 1991, several Department of the Interior (DOI) bureaus requested that the U.S. Geological Survey rerun the regional-scale ground-water flow model to obtain first approximations of probable effects of increased ground-water pumping in the carbonate-rock province. The simulation was made using a phased pumping schedule, with ultimate pumpage totaling 180,800 acre-ft/yr. The agencies were particularly interested in the possible effects on regional flow, large regional springs, and evapotranspiration that could affect their water interests in the province.

The model used to simulate these effects has large grid spacing and is based on a regional-scale conceptualization of ground-water flow. The model is considered adequate to develop first approximations of probable regional-scale effects, but is not adequate to support detailed predictions. A more detailed representation of the system and more information about how the system will respond to pumping stresses would permit the assessment of estimated effects, but this would require more detailed delineation of the aquifers both laterally and vertically, as well as additional information on hydrologic properties of the aquifers.

Purpose and Scope

The purpose of this report is to document the results obtained using the regional ground-water flow model to estimate potential effects of implementing the proposed water-rights applications filed by LVVWD.

¹Formal hydrographic areas in Nevada were delineated systematically by the U.S. Geological Survey and Nevada Division of Water Resources in the late 1960's for scientific and administrative purposes (Rush, 1968). The official hydrographic area names, numbers, and geographic boundaries continue to be used in Geological Survey scientific reports and Division of Water Resources administrative activities.



Base modified from U.S. Geological Survey digital data, 1:100,000 and 1:250,000
 Albers Equal-Area Conic projection
 Standard parallels 29°30' and 45°30', central meridian -114°

From Prudic and others (1993, fig. 2)
 and Rush (1966)

EXPLANATION

- Carbonate-rock province study area — Boundary is approximate
- Nevada Test Site
- Hydrographic area where pumping is proposed by Las Vegas Valley Water District
- Boundary of Great Basin Regional Aquifer-System Analysis (RASA) study area
- Boundary of hydrographic area or subarea

Figure 1. Location of study area and selected geographic features, Great Basin area, Nevada-Utah.

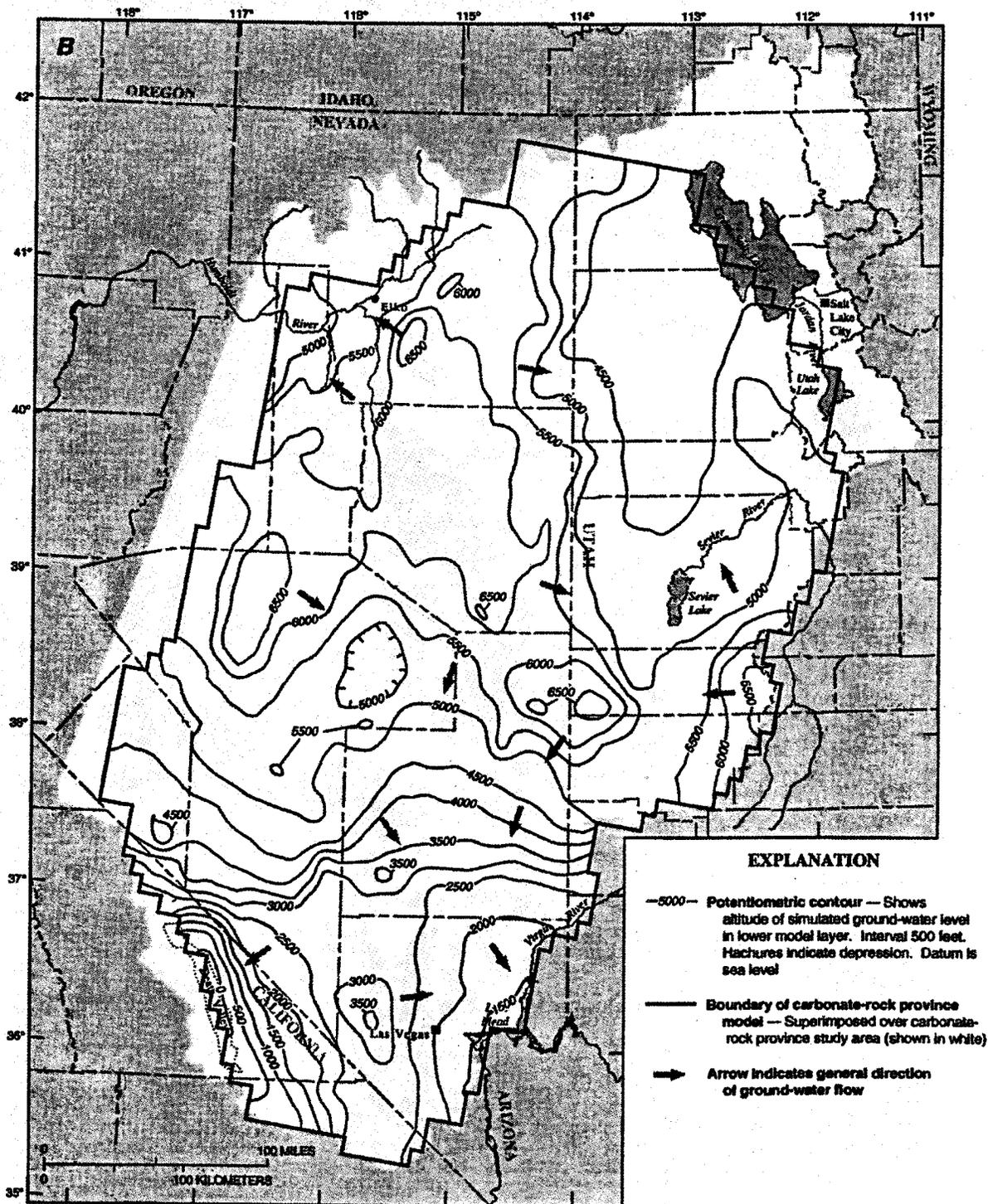


Figure 2. Continued.

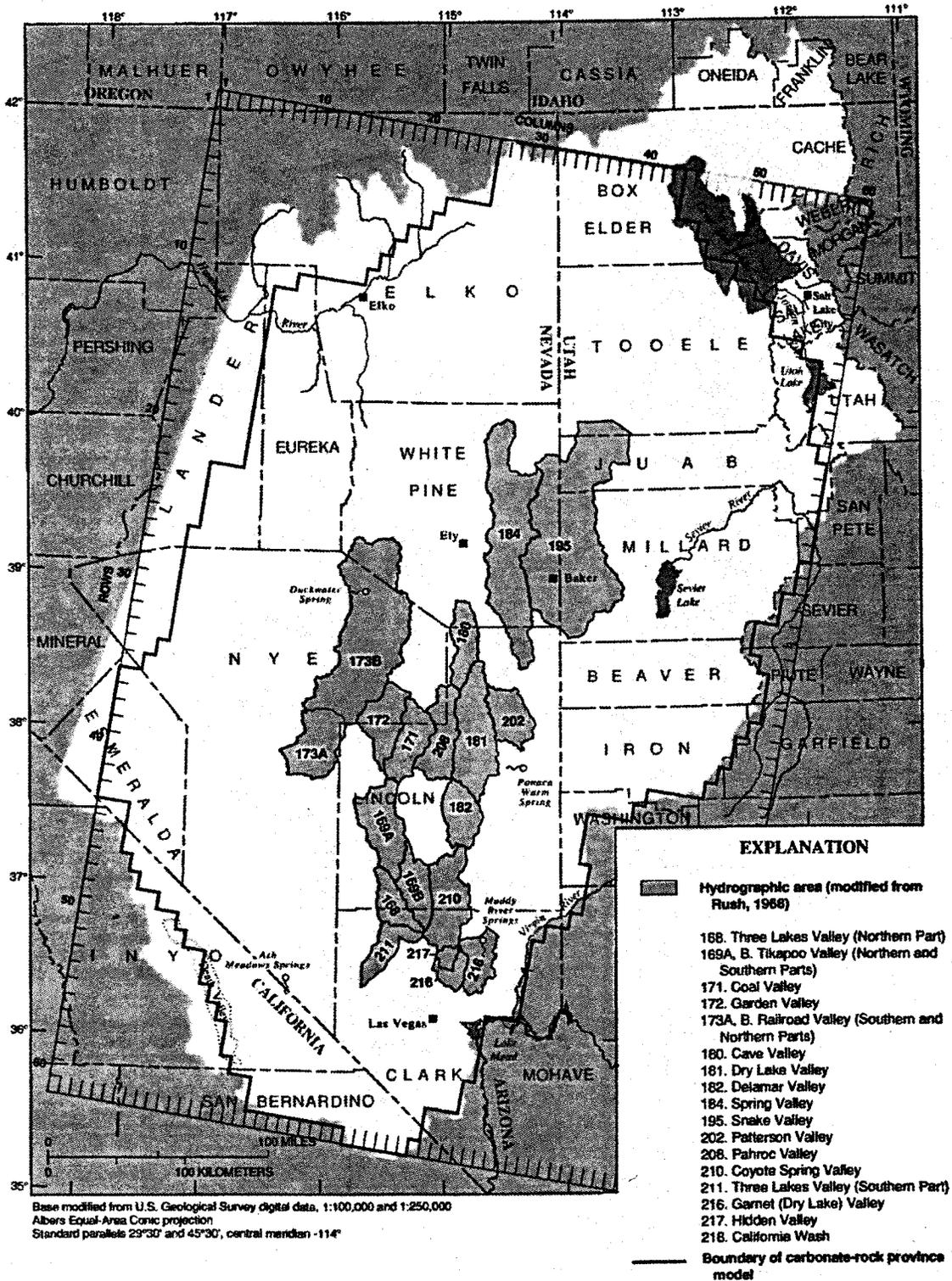


Figure 3. Location of 17 basins (hydrographic areas) in which pumping is proposed and outline of model grid used in simulations.

The report includes a description of the simulated effects of the pumping on regional springflow, evapotranspiration (ET) rates, and ground-water levels in 17 basins in the carbonate-rock province of the Great Basin. The model results are conceptual in nature because the model used is conceptual (Prudic and others, 1993, p. 18).

The conceptual model used several assumptions (Prudic and others, 1993, p. 15). These include: (1) flow through fractures and solution openings is the same as flow through porous media and thereby conforms to Darcy's Law, (2) steady-state conditions were in effect prior to ground-water development in the area, and (3) transmissivity is heterogeneous throughout the study area but is homogeneous within each individual cell.

Data used in the model are highly generalized, and the assumptions are simplifications of the actual system. Furthermore, the locations of proposed wells and the proposed pumping schedule described in this report are likely to be revised. Consequently, results reported should be used only as indications of possible generalized effects.

Acknowledgments

This study was prepared in cooperation with the following Department of the Interior bureaus: National Park Service, U.S. Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Affairs. The authors thank the members of the Hydrology Task Group for their valuable insight into the relevant issues of this study. This group was composed of: Paul K. Christensen, Alice E. Johns, and George M. "Mel" Essington, National Park Service (lead agency); Patricia J. Fielder and Paul J. Barrett, U.S. Fish and Wildlife Service; Paul C. Summers and James C. McLaughlin, Bureau of Land Management; and Bernard DeRook, Bureau of Indian Affairs. The frequent discussions and meetings with this group contributed considerably to the successful completion of this project.

DESCRIPTION OF GROUND-WATER FLOW MODEL

The ground-water flow model used for this study was constructed to conceptualize regional flow in the

carbonate rock province of the Great Basin (Prudic and others, 1993). The model consists of two layers of 3,660 cells (60 columns by 61 rows; fig. 3); each cell is 5 mi wide by 7-1/2 mi long. Not all cells in the grid are used in the model simulation; each layer contains 2,456 active cells.

The program used to simulate regional ground-water flow is the modular three-dimensional finite difference ground-water flow model, MODFLOW, written by McDonald and Harbaugh (1988). The mathematics involved in using the model to simulate ground-water flow systems is described in detail in that reference. The specific use of MODFLOW to simulate the regional ground-water system in the Great Basin is described by Prudic and others (1993).

The data used in the model, such as transmissivity values, recharge values, and other data sets, are documented (Schaefer, 1993). Boundary conditions for the model are described in detail by Prudic and others, (1993, p. 18).

In general, the model boundaries of the province extend to mountain ranges that consist mostly of low-permeability consolidated rock and are assumed to be no-flow boundaries. General head boundaries exist along the northeast, northwest, southeast, and southwest borders of the model (Prudic and others, 1993, fig. 9). A no-flow boundary is simulated beneath the lower layer of the model representing the depth below which there is little ground-water flow.

Recharge to the model is simulated as a constant flux to the upper model layer in cells that correspond to mountain ranges. Discharge occurs primarily as evapotranspiration and is simulated as a head-dependent flow boundary in the upper model layer. Regional springs are simulated as drains from the lower layer of the model.

The SIP (Strongly Implicit Procedure) solver (McDonald and Harbaugh, 1988, p. 12-1) was used by the model to solve the ground-water flow equations. SIP is a method for solving large systems of simultaneous linear equations by iteration. A closure criterion of 0.1 ft and an acceleration parameter (a value that increases or decreases head change at each iteration) of 0.8 was chosen.

Four major assumptions were used for the transient simulations of the flow model. The first was that the only pumpage simulated was that proposed by LVVWD, to produce a representation of the overall effects that development of these applications might have on the regional ground-water flow systems.

In keeping with the conceptual nature of the model, the simulation provides information about the probable areas that may be affected, the general magnitude of possible water-level declines or other effects, and the general period of time over which changes may be expected to occur. Prediction of specific, detailed water-level changes throughout the area would require that effects of the proposed pumping be superimposed on the effects of existing and other anticipated future pumping. That was beyond the scope of this analysis.

The second assumption was that storage values used for transient simulations for the upper layer were based on the predominant aquifer material in each cell, determined from surficial maps. This distribution may not be totally correct because the material may be different at depth in the zone of saturation. Storage coefficients in the upper layer also assume dewatering of the sediments.

Rock and deposit types were divided into three categories—basin-fill materials, carbonate rocks, and other consolidated rocks. Distribution of these units is shown by Prudic and others (1993, fig. 15). Average values for storage coefficients in layer one were assigned to each of these materials. For basin-fill material, a value of 0.1 was assigned on the basis of average values of specific yield used in U.S. Geological Survey reconnaissance evaluations of ground-water resources in most basins of the study area. For carbonate rocks, a value of 0.05 was assigned on the basis of an average porosity value of 0.047 determined from geophysical logs of five wells in the Coyote Spring Valley area (Berger, 1992, p. 18). For other rocks, a value of 0.01 was assigned on the basis of a range of values for fractured rocks given by Snow (1979, table 1).

The storage coefficient for the lower layer was estimated on the basis of the probable average porosity of the rocks present (0.01 to 0.05), the effective thickness of aquifer material (probably between 5,000 and 10,000 ft), the bulk modulus of elasticity of water (3×10^5 lb/in²), and the bulk modulus of elasticity of the solid skeleton of the aquifer (for limestone, about 4.8×10^6 to 5.4×10^6 lb/in²; Krynine and Judd, 1957, table 2.5). The following equation from Lohman (1972, p. 9) was used to estimate the coefficients:

$$S = \theta \gamma b \left(\frac{1}{E_w} + \frac{C}{\theta E_s} \right), \quad (1)$$

where S is storage coefficient (dimensionless);
 θ is porosity, as a decimal fraction;
 γ is specific weight per unit, $62.4 \text{ lb/ft}^3 + 144 \text{ in}^2/\text{ft}^2 = 0.434 \text{ (lb/in}^2\text{)/ft}$;
 b is thickness, in feet;
 E_w is bulk modulus of elasticity of water;
 C is a dimensionless ratio, which may be considered unity in an uncemented granular material; in a solid aquifer, such as limestone with tubular solution channels, C is apparently equal to porosity; and
 E_s is bulk modulus of elasticity of the solid skeleton of an aquifer.

Estimates of storage values based on the above numbers ranged from 7.6×10^{-5} to 1.2×10^{-3} . For purposes of this report, the storage coefficient for the lower layer was set at the midrange of these values, 6×10^{-4} , for the entire layer. The data set for storage values used in the model is listed in appendix 1.

The third major assumption used in the model is from the previous steady-state model and concerns the lower layer. The individual basin-fill aquifers underlying the various ground-water basins can be adequately described in the upper layer as a series of high-transmissivity zones (the basin-fill valleys) separated from each other by low-transmissivity zones (the intervening mountain ranges). The lower layer represents the distribution of carbonate-rock aquifers in the system in a limited way that may affect the calculated drawdowns in that layer.

The fourth and final assumption was that all input values used in the conceptual steady-state model remain constant during the transient simulations. No changes were made to transmissivity, leakage, recharge, or the other input data sets described by Prudic and others (1993) and Schaefer (1993).

RESULTS OF SIMULATIONS

Simulation of Conditions Prior to Proposed Pumping

The steady-state conditions simulated by Prudic and others (1993) represent a conceptualization of ground-water flow in the carbonate-rock province of the Great Basin before ground-water pumping within the province commenced. Figure 2 shows the general distribution of simulated steady-state heads (water

levels) that were used as the starting heads for the transient simulations. Also shown in figure 2 is the general direction of ground-water flow for both the alluvial and carbonate aquifers. The starting-head data used in the transient model are listed in appendix 2.

The highest simulated steady-state heads are generally in southwestern Utah and east-central Nevada. In these areas, altitudes of the valley floors are the highest and estimated recharge assigned to the mountains is the greatest. Heads generally decrease northward toward the Humboldt River and the Great Salt Lake, and southward toward the Colorado River and Death Valley. Ground-water flow follows a similar pattern—flow is away from areas of highest heads. Many geologic and hydrologic barriers compartmentalize flow into several regions. Flow within each region is discussed in detail by Prudic and others (1993).

Proposed Pumping and Stress Periods

The proposed pumpage was to increase for about 18 years, from a rate of 24,500 acre-ft/yr to 180,800 acre-ft/yr, in four phased steps. Table 1 shows the overall pumping schedule and the amount of pumpage from each basin. These data are the basis for the pumpage simulated in the model. The model stress periods coincide with the proposed pumping phases of LVVWD, and the simulated pumpage in the model duplicates the areal distribution of the proposed well locations. Table 2 shows how these pumping periods relate to the model stress periods. Appendix 3 contains the pumpage data set used in the model.

Simulated Effects of Proposed Pumping

The simulated effects of pumping large quantities of ground water from east-central and southern Nevada include water-level declines, reductions in evapotranspiration and discharge from regional springs, and changes in flow to or from rivers, lakes, and the Death Valley playa. These results were calculated by the model, but because existing data are not adequate to allow the simulated results to be calibrated against observed changes, they contain a high degree of uncertainty. They should not be considered exact predictions of change but rather indications of possible generalized effects. The trends and magnitudes of the calculated

changes are considered first approximations that can give valuable insight into possible regional effects of long-term, high-volume pumpage in the province.

Simulated Pumpage and Drawdowns

At selected time steps for all five stress periods of the simulation, water-level declines (drawdowns) were calculated for both layers by comparing water-level arrays of successive stress periods. Drawdown patterns for both model layers then were mapped and are shown for selected time periods in figures 4-10. The drawdown values were computed by subtracting the original starting head for each model cell from the corresponding head simulated at the end of each selected time step. Lines of equal drawdown for each time step were then produced using the Golden Software Company "Surfer" computer contouring package. Locations of the proposed pumping wells in each stress period are also plotted on the maps to show their relation to the simulated declines. Each map shows simulated drawdowns for a layer, and only those wells designated to produce from that layer during that stress period are shown.

A pumping well represents discharge at a point, but the model distributes the pumpage over a 5-mi by 7-1/2-mi cell. Because both aquifer properties and changes in water level are averaged over the entire grid cell, some error is introduced. Furthermore, the model "pumps" the cell for the entire stress period at the constant rate. In reality, this may not be so, as some type of site-specific pumping schedule might be used to minimize local effects. That level of detail was beyond the scope of the study.

The original applications for water rights by LVVWD included a list of proposed well locations, and indicated whether each well was to be completed in the basin fill or the carbonate aquifer. Also included was a list of total withdrawals in each ground-water basin. To create the pumpage data set for the model, it was necessary to determine the pumping rate for each well within each basin by dividing the total pumpage from that basin by the total number of wells. If a well was completed in the basin-fill aquifer, pumpage for the model was assigned to the upper layer. An identical process was used for wells proposed to be completed in the carbonate aquifer (and assigned to the lower layer).

Table 1. Pumpage proposed by Las Vegas Valley Water District during first 20 years of pumping, by basin, east-central and southern Nevada

[Location of basins, by hydrographic area, is shown in figure 3]

Proposed pumpage schedule	Year	Pumpage (acre-feet per year) by basin, and hydrographic-area (HA) number								
		Garnet (Dry Lake) Valley, HA 216	Hidden Valley, HA 217	California Wash, HA 218	Coyote Spring Valley, HA 210	Three Lakes Valley (S), HA 211 ¹	Three Lakes Valley (N), HA 168	Tikapoo Valley, HA 169 A and B	Cave Valley, HA 180	Coal Valley, HA 171
Phase 1	2007	2,000	2,000	2,500	5,000	5,000	5,000	3,000	0	0
	2008	2,000	2,000	2,500	5,000	5,000	5,000	3,000	0	0
	2009	2,000	2,000	2,500	5,000	5,000	5,000	3,000	0	0
	2010	2,000	2,000	2,500	5,000	5,000	5,000	3,000	0	0
	2011	2,000	2,000	2,500	5,000	5,000	5,000	3,000	0	0
	2012	2,000	2,000	2,500	5,000	5,000	5,000	3,000	0	0
	2013	2,000	2,000	2,500	5,000	5,000	5,000	3,000	0	0
Phase 2	2014	2,000	2,000	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2015	2,000	2,000	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2016	2,000	2,000	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2017	2,000	2,000	2,500	5,000	5,000	5,000	3,000	2,000	6,000
Phase 3	2018	0	0	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2019	0	0	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2020	0	0	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2021	0	0	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2022	0	0	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2023	0	0	2,500	5,000	5,000	5,000	3,000	2,000	6,000
Phase 4	2024	0	0	2,500	5,000	5,000	5,000	3,000	2,000	6,000
	2025	0	0	2,500	5,000	5,000	5,000	3,000	2,000	6,000

¹ Includes three wells that are physically located in Las Vegas Valley Hydrographic Area (212) but are considered by Las Vegas Valley Water District to be in Three Lakes Valley (southern part).

Figure 4 shows drawdown and wells for both layers at the end of 7 years of pumping (conclusion of stress-period one). Total annual pumpage during this phase of the water project is planned to be 24,500 acre-ft. Of this amount, 29 percent (7,100 acre-ft/yr) was assigned to the upper layer, and 71 percent (17,400 acre-ft/yr) was assigned to the lower layer. Pumping is planned for Garnet (Dry Lake), Hidden, California Wash, Coyote Spring, Three Lakes, and Tikapoo Valleys (fig. 3). In the upper layer (fig. 4A), the drawdown exceeds 10 ft only in Three Lakes Valley. Drawdowns are localized around the cells with assigned pumpage. Drawdowns in the lower layer (fig. 4B) are more extensive, showing a maximum decline of more than 100 ft in several valleys. Boundaries of the topographic basins, which form

the boundaries of the alluvial basins (upper layers), are not barriers to flow within the carbonate system (lower layers). Declines in the lower layer can extend far beyond the basin boundary because the model simulates the carbonate aquifer in the lower layer as being confined, and storage values are much less.

Figure 5 shows simulated drawdown and location of wells for both layers at the end of 11 years of pumping (conclusion of stress-period two). Total annual pumpage proposed for this phase of the project is 47,000 acre-ft. Of this amount, 39 percent (18,300 acre-ft/yr) was assigned to the upper layer, and 61 percent (28,700 acre-ft/yr) was assigned to the lower layer. During this phase of development, pumping wells will be added in Cave, Coal, Delamar, Dry Lake, Pahroc, and Patterson Valleys (fig. 3).

Table 1—Continued

Pumpage (acre-feet per year) by basin, and hydrographic area (HA) number								
Delamar Valley, HA 182	Dry Lake Valley, HA 181	Pahroc Valley, HA 208	Patterson Valley, HA 202	Snake Valley, HA 195	Spring Valley, HA 184	Garden Valley, HA 172	Railroad Valley, HA 173 A and B	Total (acre-feet per year)
0	0	0	0	0	0	0	0	24,500
0	0	0	0	0	0	0	0	24,500
0	0	0	0	0	0	0	0	24,500
0	0	0	0	0	0	0	0	24,500
0	0	0	0	0	0	0	0	24,500
0	0	0	0	0	0	0	0	24,500
0	0	0	0	0	0	0	0	24,500
3,000	2,500	5,000	4,000	0	0	0	0	47,000
3,000	2,500	5,000	4,000	0	0	0	0	47,000
3,000	2,500	5,000	4,000	0	0	0	0	47,000
3,000	2,500	5,000	4,000	0	0	0	0	47,000
3,000	2,500	5,000	4,000	25,000	50,000	0	0	118,000
3,000	2,500	5,000	4,000	25,000	50,000	0	0	118,000
3,000	2,500	5,000	4,000	25,000	50,000	0	0	118,000
3,000	2,500	5,000	4,000	25,000	50,000	0	0	118,000
3,000	2,500	5,000	4,000	25,000	50,000	0	0	118,000
3,000	2,500	5,000	4,000	25,000	50,000	0	0	118,000
3,000	2,500	5,000	4,000	25,000	50,000	0	0	118,000
3,000	2,500	5,000	4,000	25,000	50,000	10,000	52,800	180,800

Figure 5A shows an increase in the areal extent of simulated drawdowns in the upper layer, but maximum declines do not increase appreciably. The additional wells pumped during this phase of the simulation cause new declines in those additional areas. The simulated drawdowns in the lower layer (fig. 5B) likewise show an increase in areal extent and the maximum drawdowns have increased in some areas.

Figure 6 shows the simulated drawdowns for both layers at the end of 18 years of pumping (conclusion of time-step two, stress-period three). Pumpage during this stress period was set at 118,000 acre-ft/yr. Of this amount, 61 percent was assigned to the upper layer (72,000 acre-ft/yr), and 39 percent (46,000 acre-ft/yr) was assigned to the lower layer. During this stress period, pumping was from California Wash and from Coyote Spring, Three Lakes, Tikapoo, Cave, Coal, Delamar, Dry Lake, Pahroc, Patterson, Snake, and

Spring Valleys. Pumping was terminated in Garnet (Dry Lake) Valley and Hidden Valley at the start of this stress period.

In the upper layer (fig. 6A), maximum simulated declines exceed 100 ft in the area of Three Lakes Valley. Simulated declines exceed 50 ft in Spring Valley. Simulated declines in the lower layer (fig. 6B) are areally more extensive and are beginning to affect a large area of the carbonate-rock province. Simulated drawdown exceeds 100 ft in Spring, Snake, and probably in other valleys. Simulated drawdowns do not generally exceed 200 ft, with the exception of a localized maximum drawdown of about 400 ft in the California Wash area. Declines induced by pumping in this area and in the Coyote Spring Valley area to the northwest seem to cause the drawdowns in the Muddy River springs area.

Table 2. Simulated stress periods and pumpage, east-central and southern Nevada

[Asterisks indicate key simulation lengths used for analysis; acre-ft/yr, acre-feet per year]

Stress period	Time step	Length of time step (years)	Cumulative length of simulation (years)
Stress-period one (Phase 1) 2007-2013 (7 years) Total pumpage, 24,500 acre-ft/yr	1	3.5	3.5
	2	3.5	*7.0
Stress-period two (Phase 2) 2014-2017 (4 years) Total pumpage, 47,000 acre-ft/yr	1	2.0	9.0
	2	2.0	*11.0
Stress-period three (Phase 3) 2018-2024 (7 years) Total pumpage, 118,000 acre-ft/yr	1	3.5	14.5
	2	3.5	*18.0
Stress-period four (Phase 4) 2025-2036 (12 years) Total pumpage, 180,800 acre-ft/yr	1	4.0	22.0
	2	4.0	26.0
	3	4.0	*30.0
Stress-period five (Phase 4--continued) 2037-? Total pumpage, 180,800 acre-ft/yr	1	12.3	42.3
	2	25.4	55.4
	3	39.5	69.5
	4	54.6	84.6
	5	70.7	*100.7
	6	87.9	117.9
	7	106.4	136.4
	8	126.2	156.1
	9	147.3	177.3
	10	169.9	*199.9

Figure 7 shows the simulated drawdowns due to pumping in the upper and lower layers 30 years into the model simulation (end of time-step three, stress-period four). Total annual pumpage during this period of the simulation is 180,800 acre-ft/yr. This amount is the projected maximum pumpage rate for the water project. Pumpage is from California Wash and Coyote Spring, Three Lakes, Tikapoo, Cave, Coal, Delamar, Dry Lake, Pahroc, Patterson, Snake, and Spring Valleys. This is also the stress period when pumping begins in Railroad Valley at a rate of 52,800 acre-ft/yr and in Garden Valley at a rate of 10,000 acre-ft/yr (phase four; table 1). Of the total amount, 62 percent (112,100 acre-ft/yr) was assigned to the upper layer and 38 percent (68,700 acre-ft/yr) was assigned to the lower layer.

Figure 7A shows the simulated drawdowns in the upper layer. In the area of Three Lakes Valley, in the southern part of the pumping area, maximum drawdown is more than 100 ft. In Spring Valley, in the northern part of the pumping area, simulated drawdowns also exceed 100 ft. Throughout most of the pumping area by the end of stress-period four, simulated drawdowns exceed 1 ft. Simulated drawdowns exceeding 10 ft have extended throughout much of the area. This stress period is the first indication of simulated drawdowns extending into the state of Utah.

Figure 7B shows the declines produced in the lower layer resulting from the proposed pumpage. Several large areas of declines have developed coincident with large pumping centers. Drawdowns exceeding 100 ft have developed in virtually all of the valleys.

The maximum simulated drawdown of about 670 ft is in Garden Valley. The areas of heaviest pumpage—Railroad, Spring, Snake, and Garden Valleys—also are the areas of largest declines in water levels.

Stress-period five represents an extrapolation of the proposed pumping schedule to illustrate possible future effects. The model was set up so that the simulation time steps within this stress period could be divided into discrete intervals. Within stress-period five, the ten time steps were increased in length geometrically. This allowed a reasonable view of changes in the model without generating large amounts of output. From these ten time steps, two durations—100 and 200 years—were selected for analysis of drawdowns and model budgets. The cumulative length of simulation at the end of stress-period five is 200 years.

Figure 8 shows the simulated drawdowns in both layers of the model after about 100 years into the simulation (time-step five, stress-period five). The total pumpage at this point in the simulation was still 180,800 acre-ft/yr. Of the total amount of pumpage, 62 percent was assigned to the upper layer and 38 percent was assigned to the lower layer.

Figure 8A shows the simulated drawdowns in the upper layer. The simulated drawdowns have continued to expand from the previous analysis time period because pumping has remained constant and at the same locations. Simulated drawdowns in Tikapoo Valley have continued to increase, as well as those in Railroad Valley—which have exceeded 100 ft. Simulated drawdowns in the Snake and Spring Valley areas have expanded outward and deepened to a maximum of about 350 ft, and the area of 10-ft drawdowns has extended into Utah. Finally, simulated drawdowns in Garden Valley have also expanded areally, but have not increased vertically.

Simulated drawdowns in the lower layer (fig. 8B) have begun to stabilize, with small increases areally and vertically in the Coal and Garden Valley areas. A quasi-equilibrium apparently is being approached in the lower layer. Maximum drawdown is about 900 ft in Garden Valley.

Figure 9 shows the simulated drawdowns in both the upper and lower layers after about 200 years into the simulation (time-step ten, stress-period five). Total annual pumpage continues to be 180,800 acre-ft. Pumpage is still divided between the upper and lower

layers, as in the previous stress period. Areal distribution of pumping cells is the same as in the previous stress period.

Simulated drawdowns in the upper layer (fig. 9A), have continued to increase in many places. Pumping in Railroad and Three Lakes Valley areas has increased the simulated drawdowns. Pumping in Snake and Spring Valleys has resulted in substantial simulated drawdowns near Baker, with a maximum of about 450 ft. Many of the isolated cones of depression are merging to form larger, composite cones of depression.

Simulated drawdowns in the lower layer (fig. 9B) have also increased areally and in magnitude. Pumpage in the lower layer in Railroad, Snake, Pahroc, Three Lakes, and Tikapoo Valleys has resulted in three large cones of depression, each greater than 100 ft and reaching more than 900 ft in Garden Valley.

Figure 10 shows the simulated drawdowns in the upper and lower layers for the final steady-state simulation. The model has attained a simulated hydrologic equilibrium. The water that supplies the simulated pumping has ceased to come from storage; rather, it is water that formerly discharged to springs and as ET. Pumpage remains constant and distribution is somewhat similar to that in figure 9. Simulated drawdowns in the upper layer (fig. 10A) have expanded areally and have deepened. In the upper layer (fig. 10A), maximum simulated drawdown has exceeded 500 ft in Railroad, Snake, Three Lakes, Cave, and Patterson Valleys. In Three Lakes Valley (northern part), the maximum drawdown is about 1,600 ft because of simulated pumping in one cell. In the lower layer, simulated drawdowns exceed 100 ft in most of the area and exceed 500 ft in parts of Railroad, Garden, and Snake Valleys. Maximum drawdown in Garden Valley is about 1,100 ft.

Simulated drawdowns in specific cells were examined as part of the analysis of the effects of pumping on the regional ground-water flow system. The locations of these selected cells are shown in relation to the model grid in figure 11. These cells are generally near areas in which many of the DOI bureaus have specific water-resource concerns. These cells act as observation points, but in reality cover 37.5 mi² of surface area. They are useful in indicating trends in simulated ground-water levels in the area at any given time step.

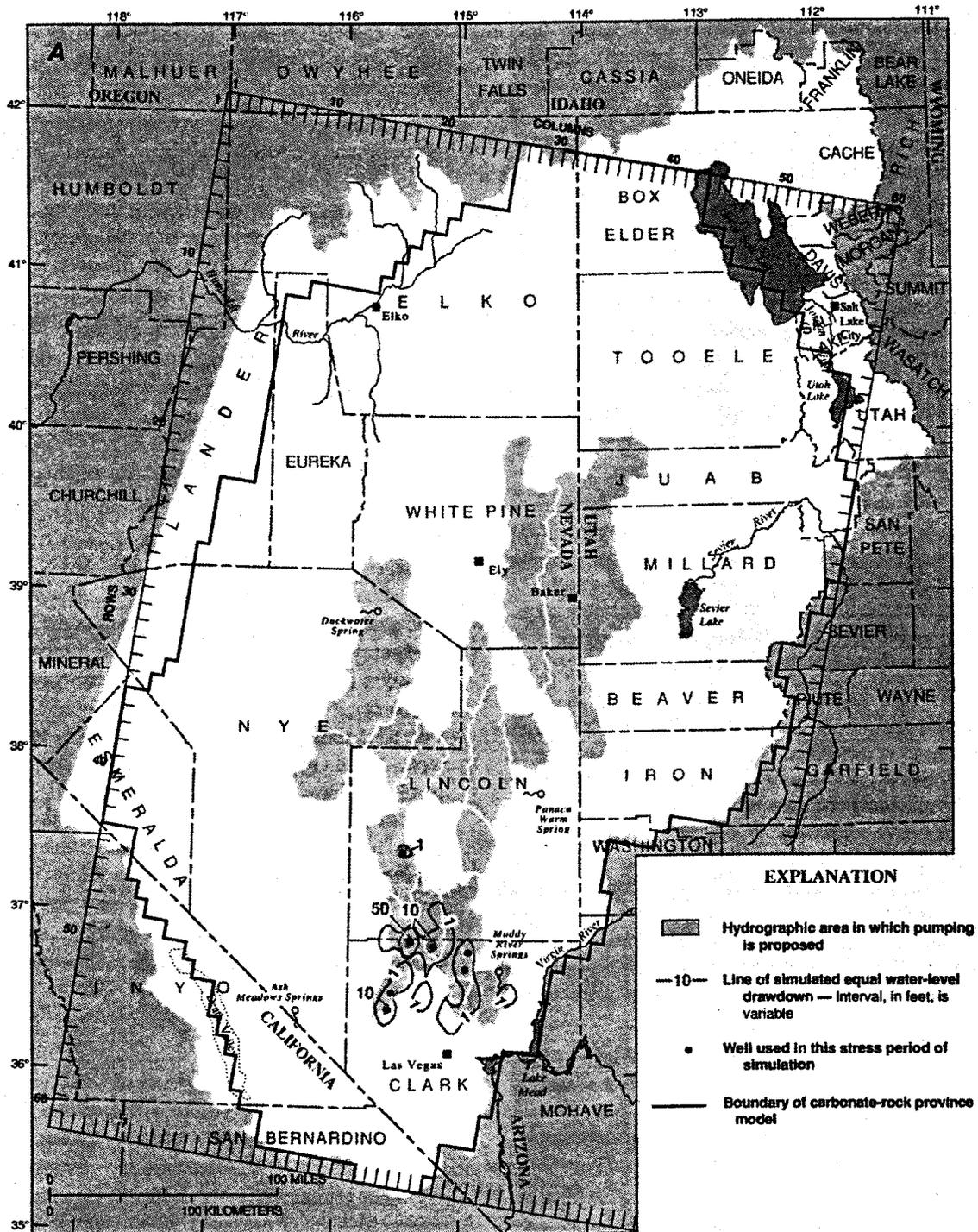
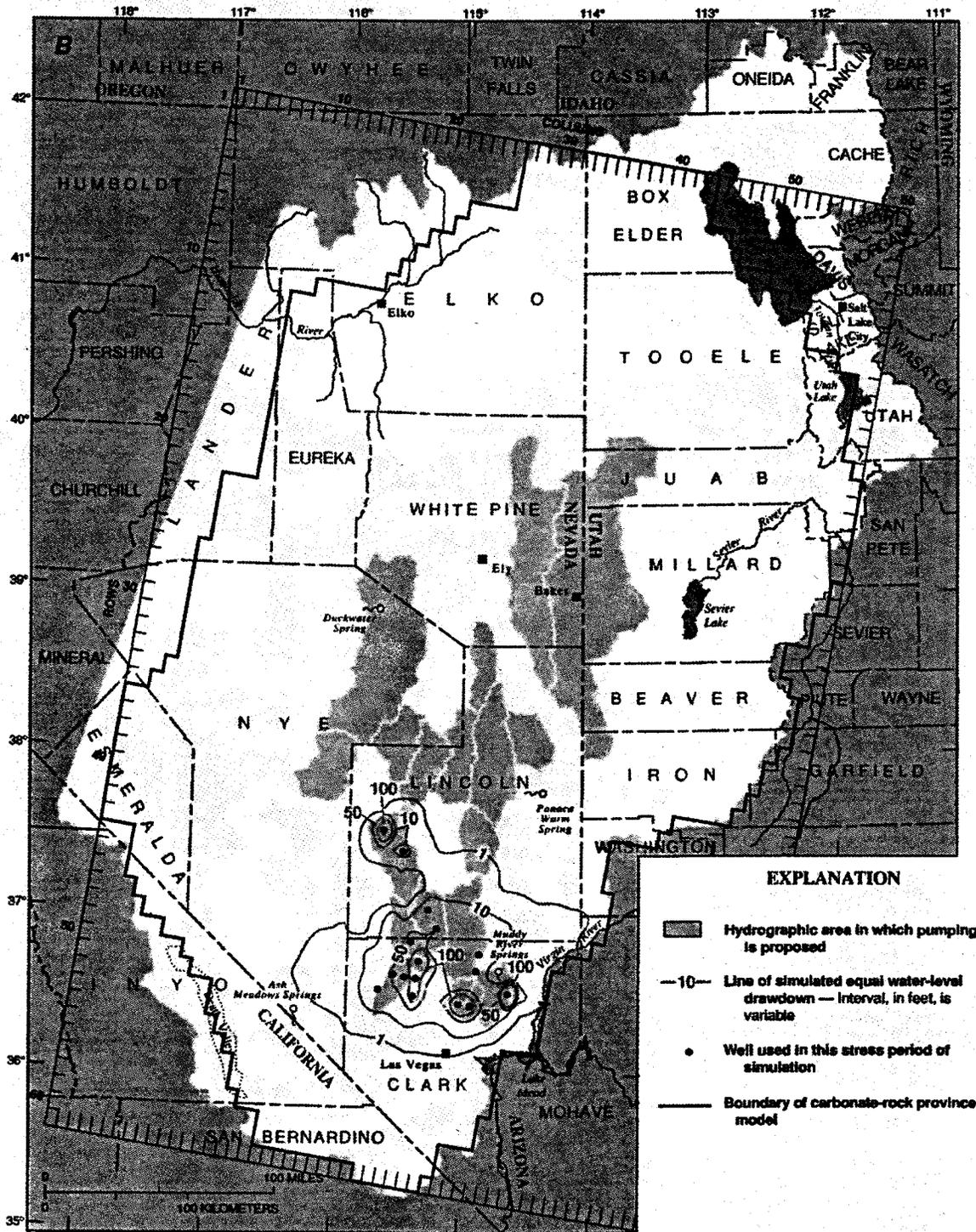


Figure 4. Simulated water-level drawdowns, stress period one, time-step two, after 7 years into simulation for (A) upper model layer and (B) lower model layer.



Base modified from U.S. Geological Survey digital data, 1:100,000 and 1:250,000
 Albers Equal-Area Conic projection
 Standard parallels 29°30' and 45°30', central meridian -114°

Figure 4. Continued.

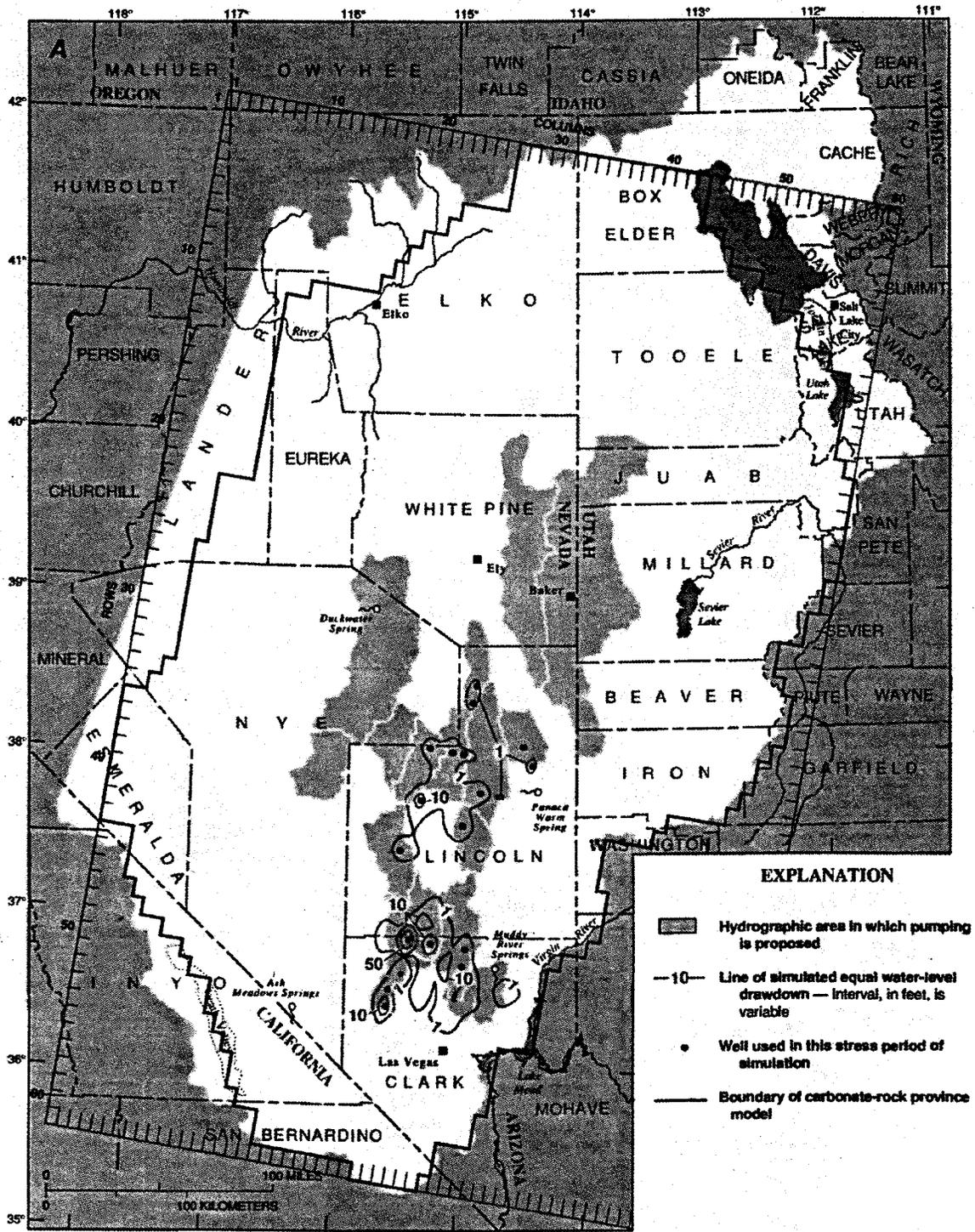
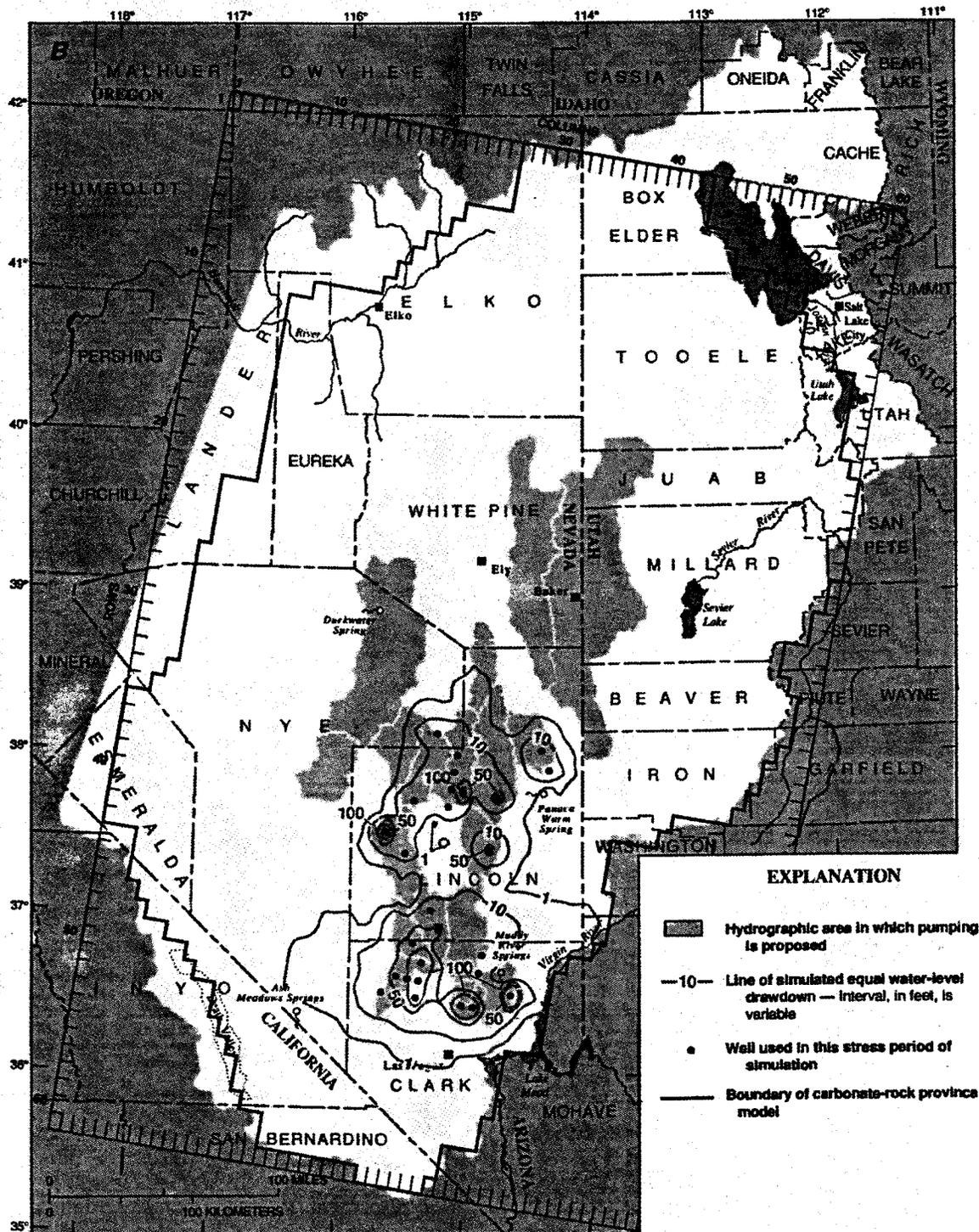


Figure 5. Simulated water-level drawdowns, stress-period two, time-step two, after 11 years into simulation for (A) upper model layer and (B) lower model layer.



Base modified from U.S. Geological Survey digital data, 1:100,000 and 1:250,000
 Albers Equal-Area Conic projection
 Standard parallels 29°30' and 45°30', central meridian -114°

Figure 5. Continued.

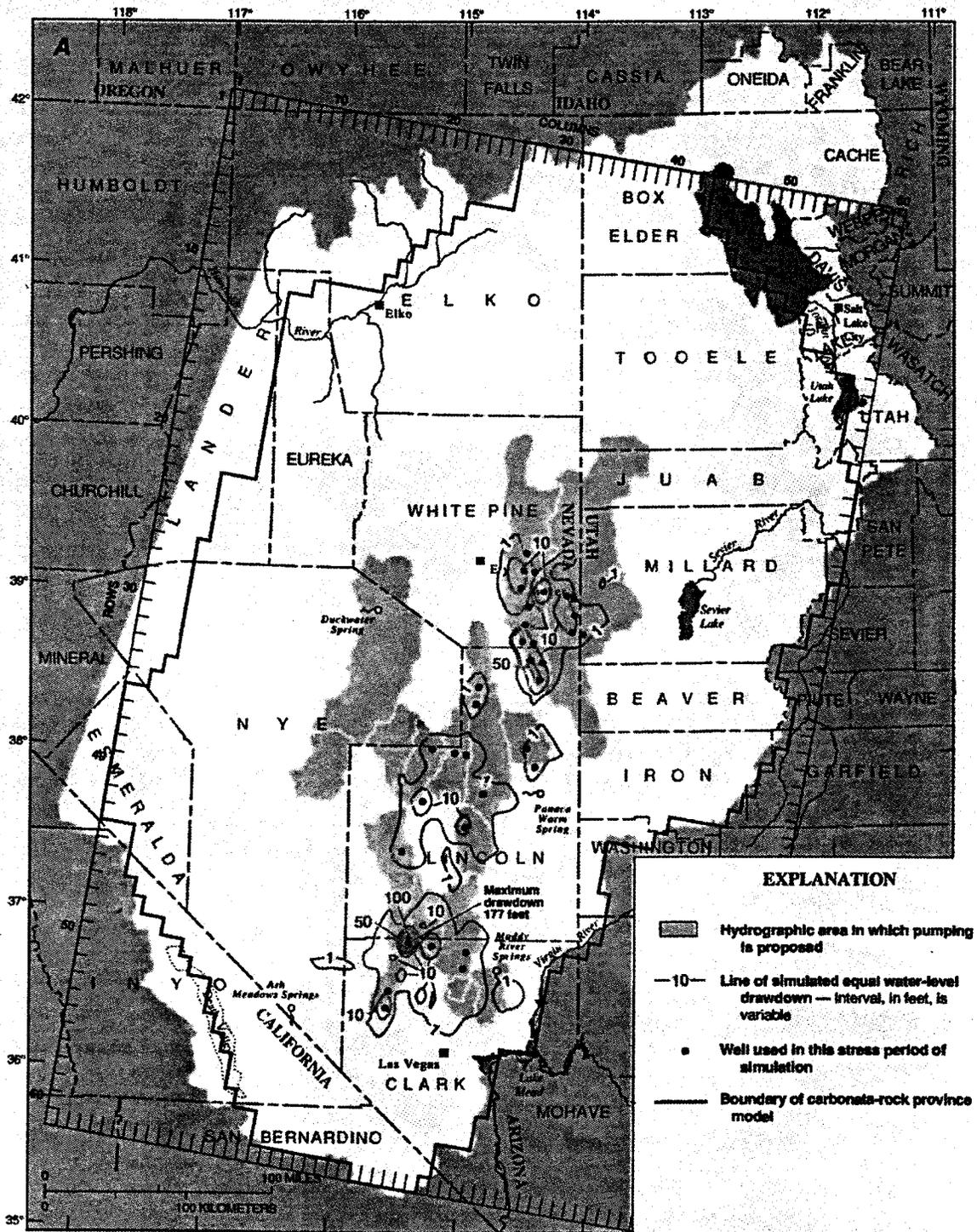


Figure 6. Simulated water-level drawdowns, stress-period three, time-step two, after 18 years into simulation for (A) upper model layer and (B) lower model layer.

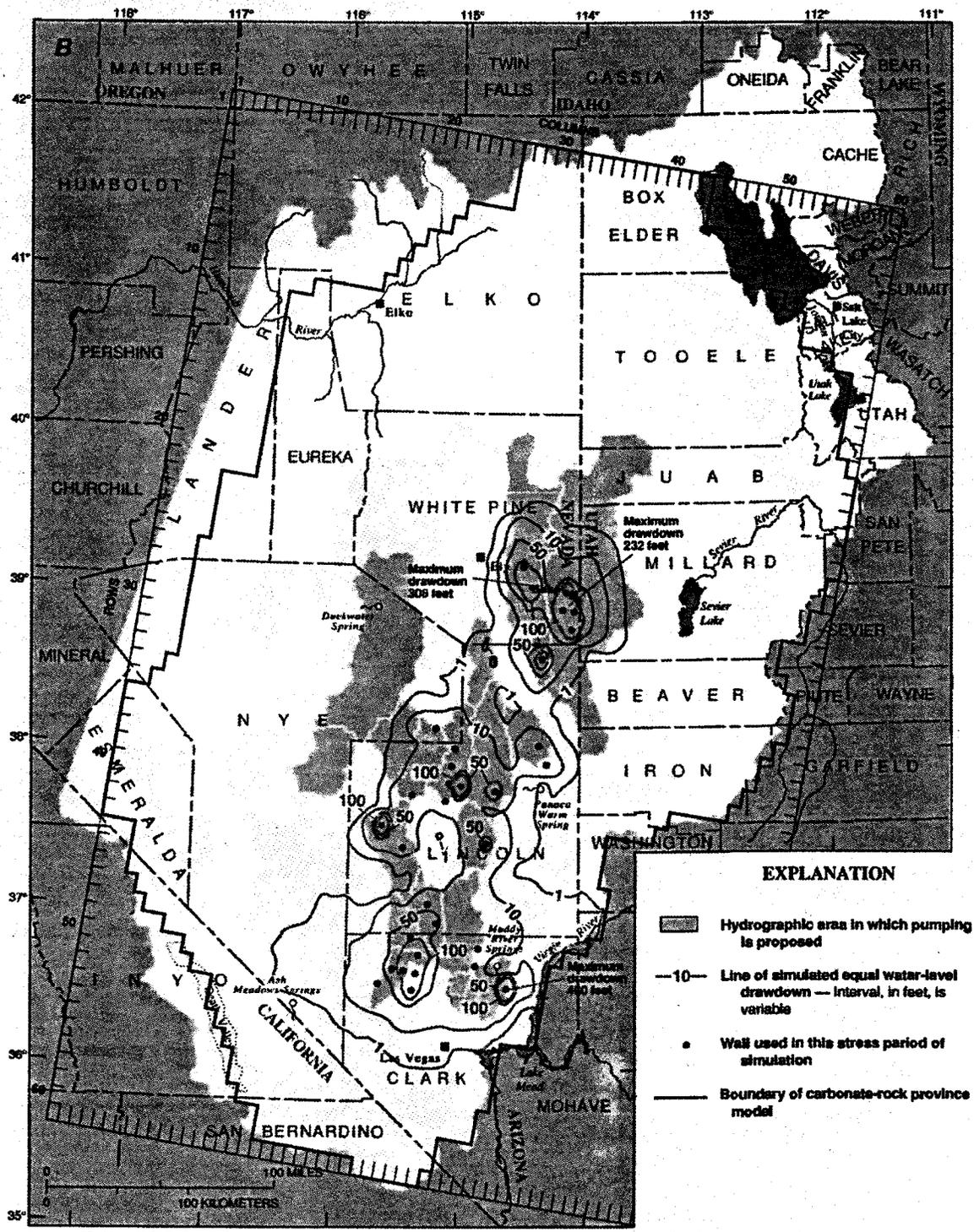


Figure 6. Continued.

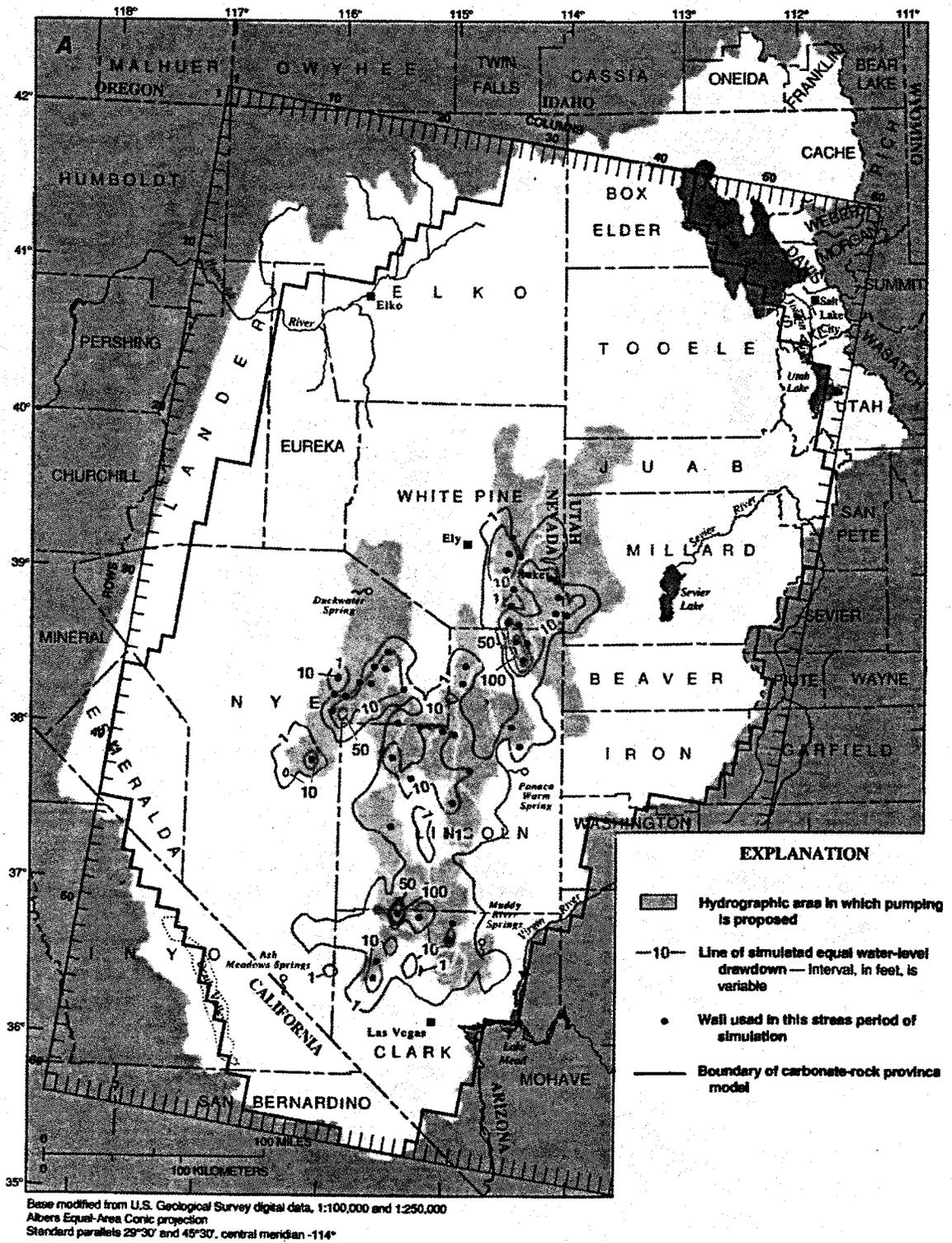
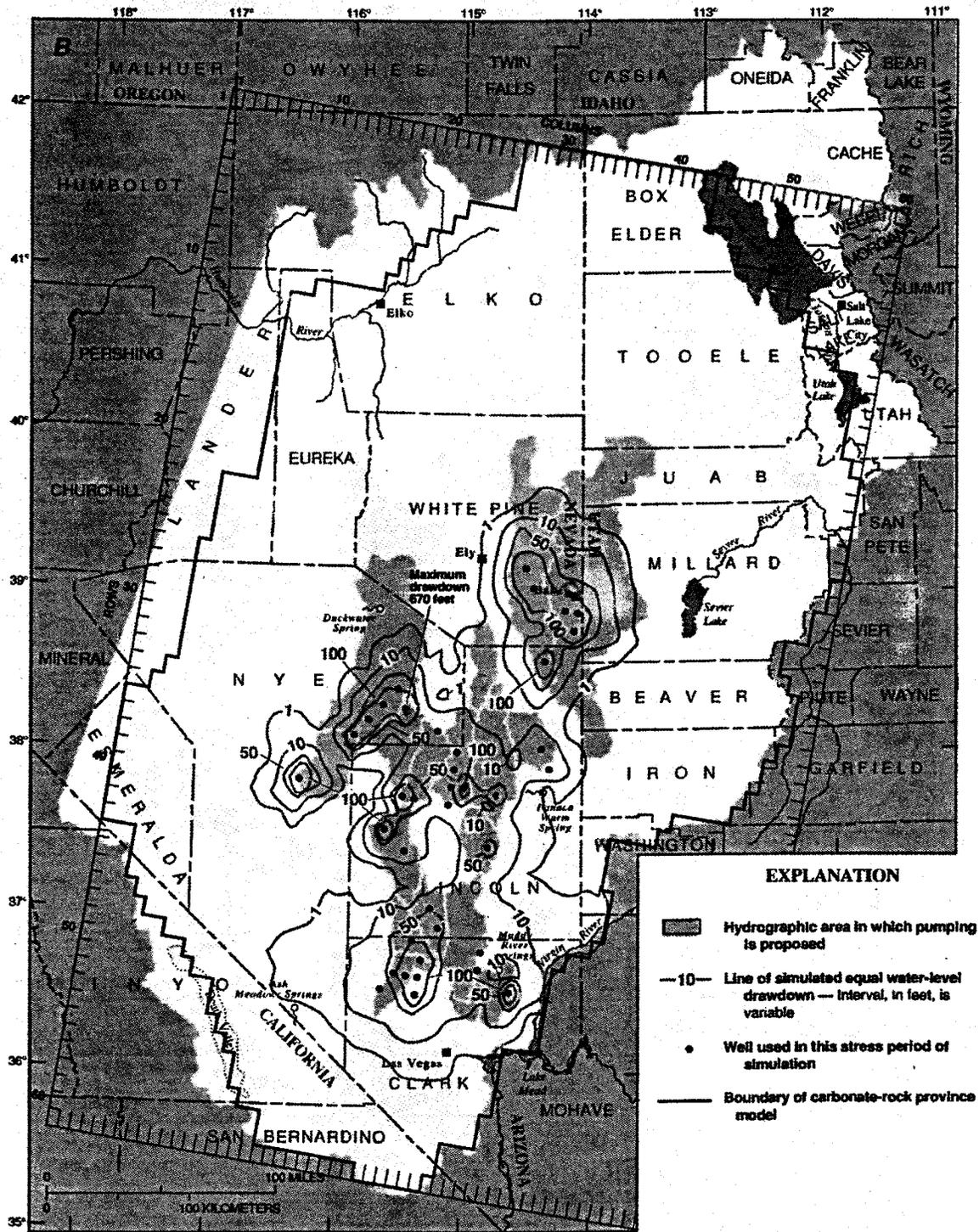


Figure 7. Simulated water-level drawdowns, stress-period four, time-step three, after 30 years into simulation for (A) upper model layer and (B) lower model layer.



Base modified from U.S. Geological Survey digital data, 1:100,000 and 1:250,000
 Albers Equal-Area Conic projection
 Standard parallels 29°30' and 45°30', central meridian -114°

Figure 7. Continued.

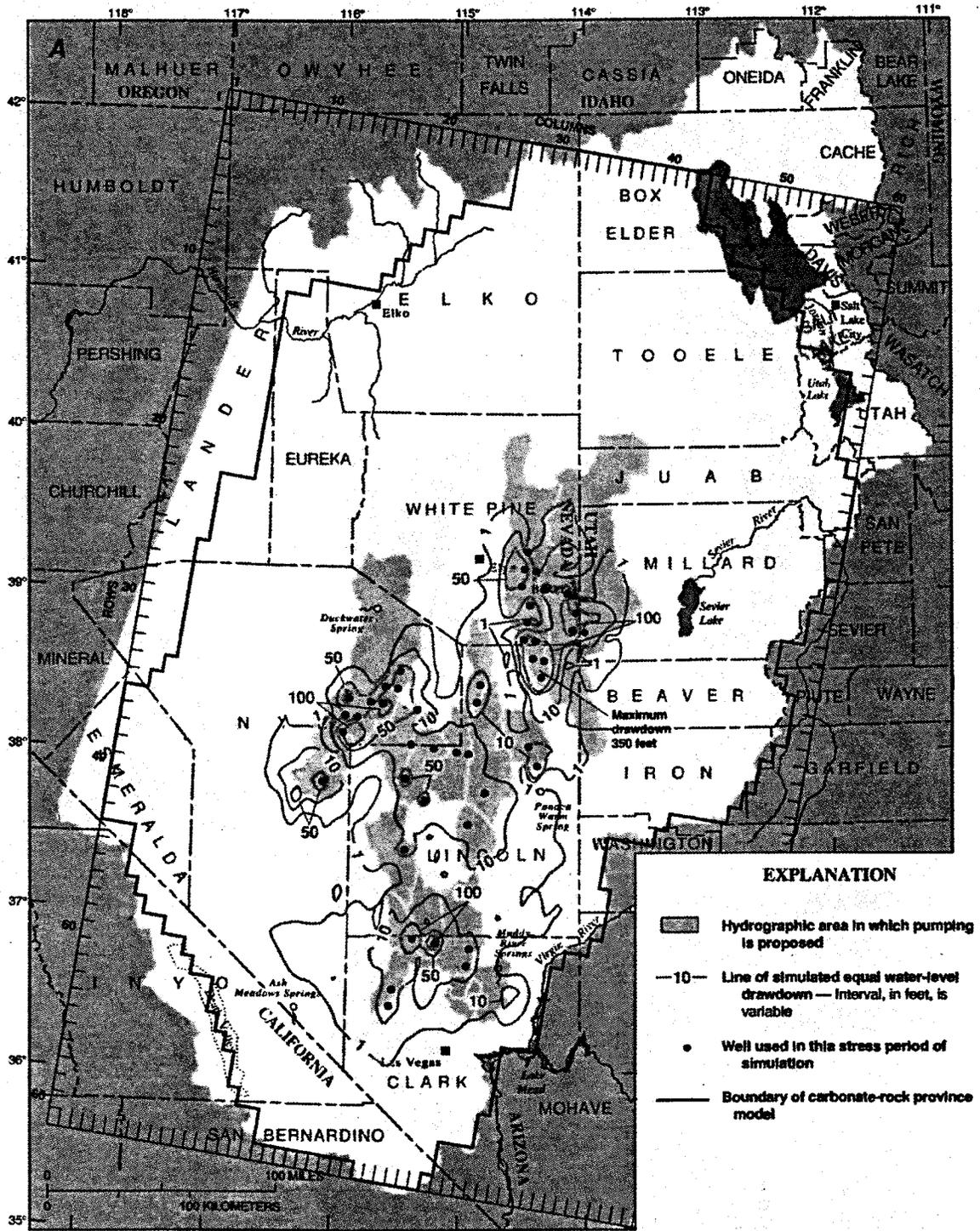
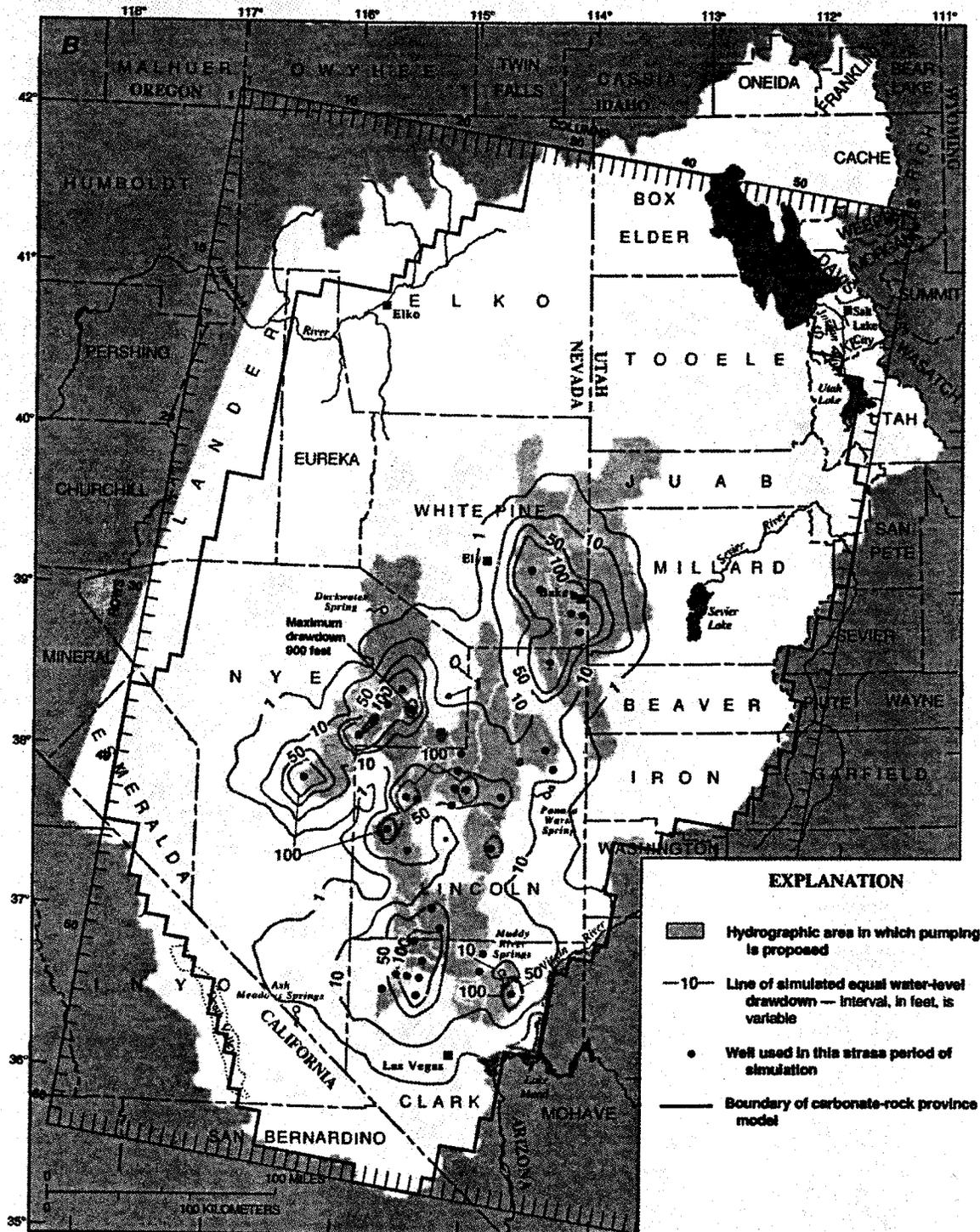


Figure 8. Simulated water-level drawdowns, stress-period five, time-step five, after 100.7 years into simulation for (A) upper model layer and (B) lower model layer.



Base modified from U.S. Geological Survey digital data, 1:100,000 and 1:250,000
 Albers Equal-Area Conic projection
 Standard parallels 29°30' and 45°30', central meridian -114°

Figure 8. Continued.

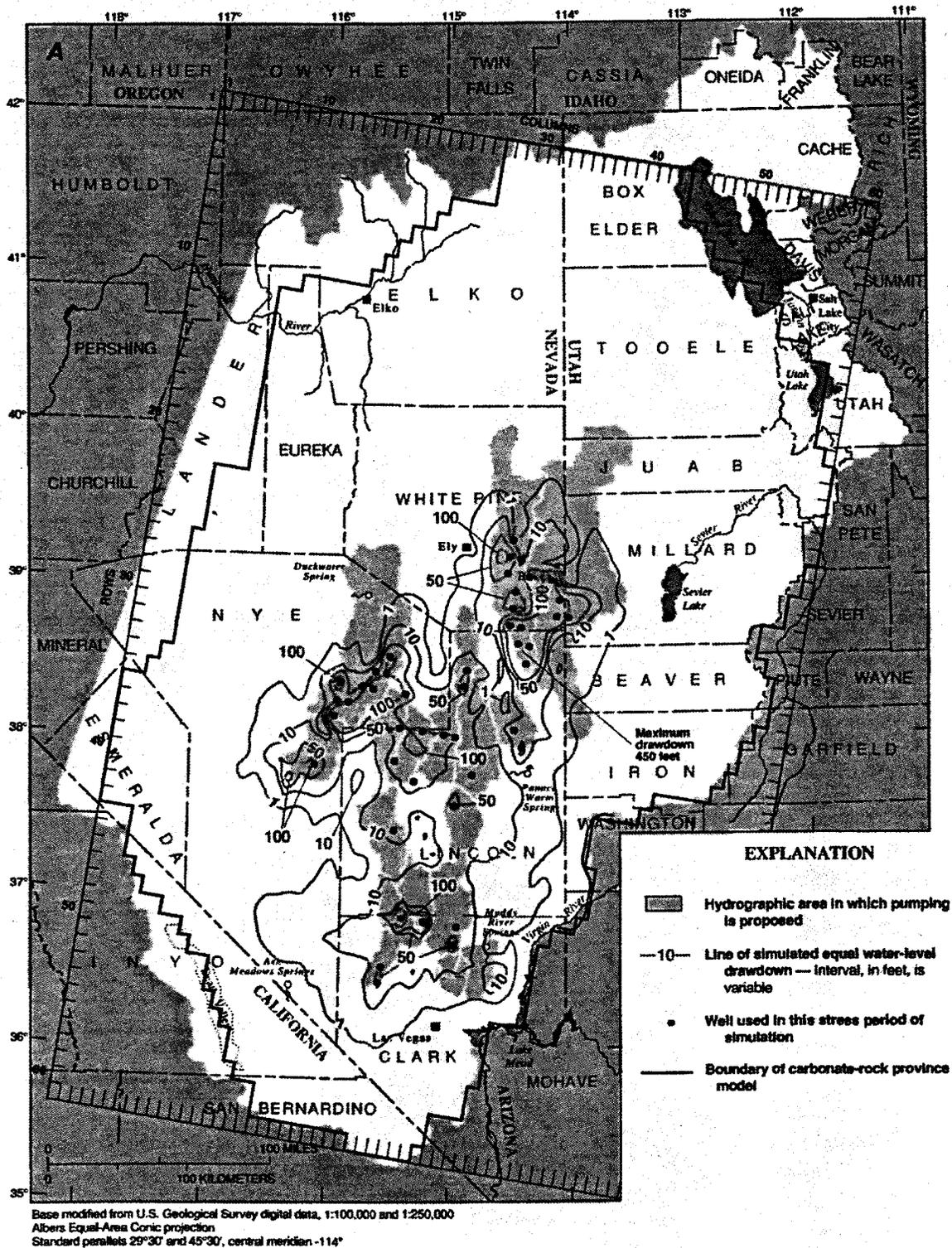
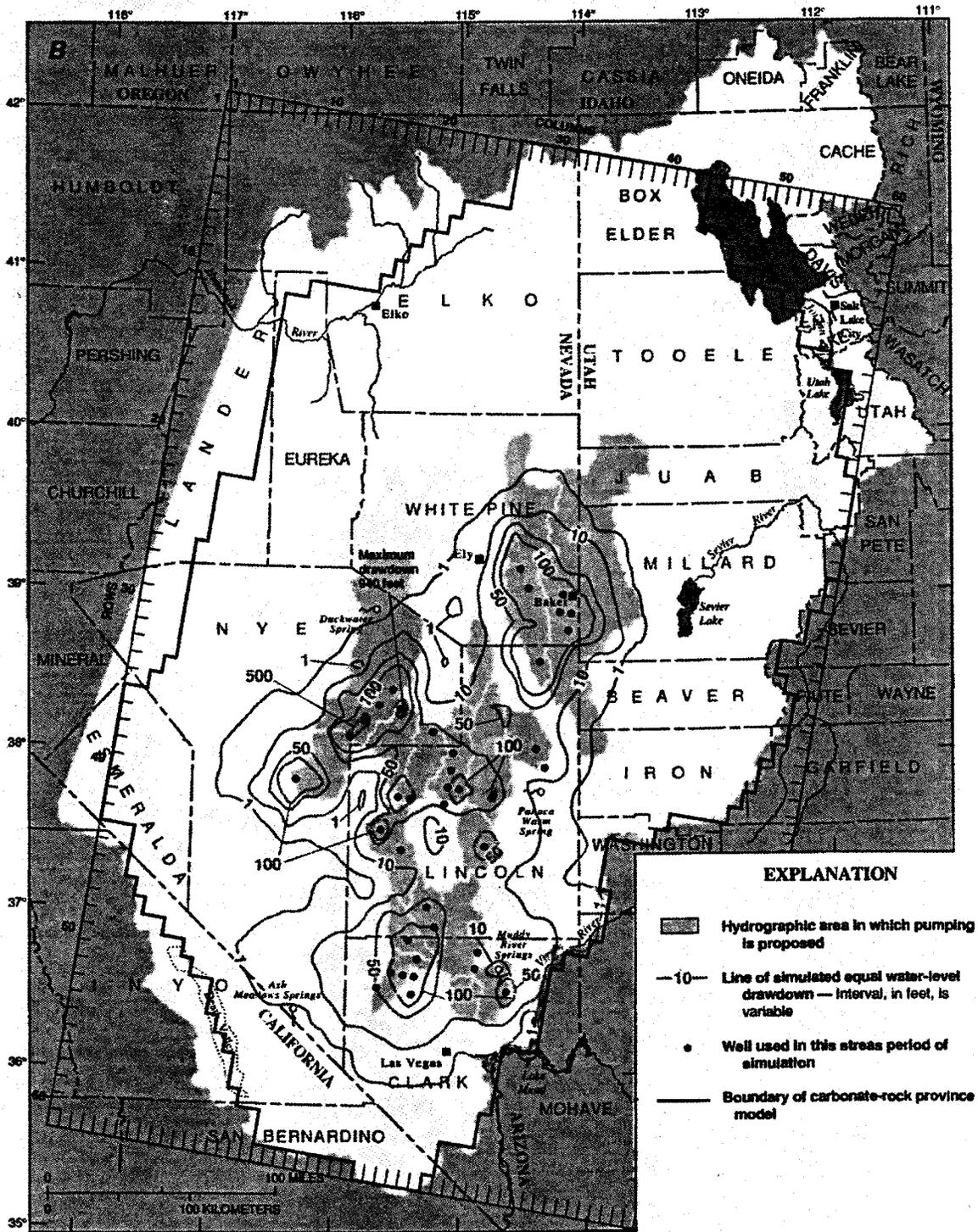
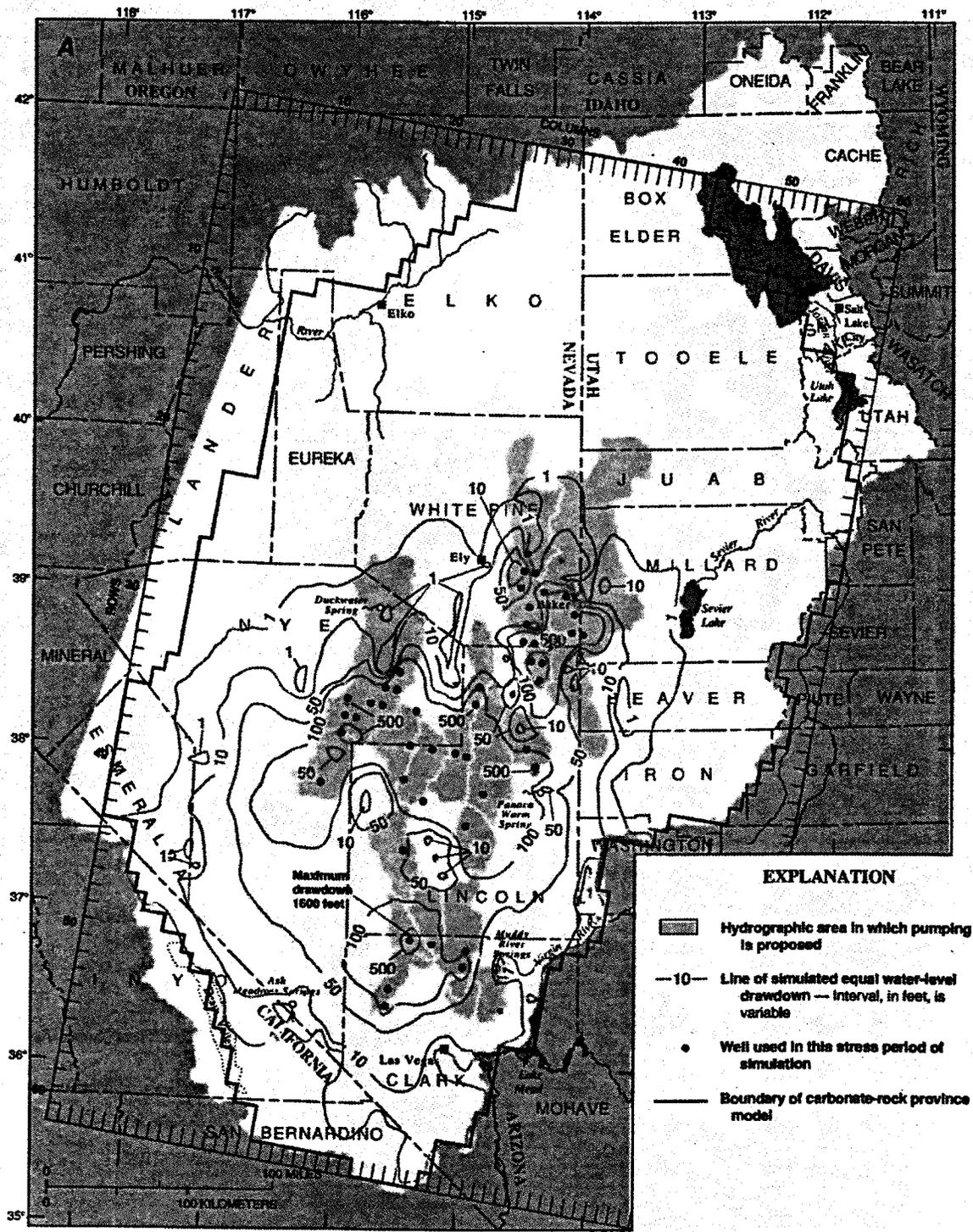


Figure 9. Simulated water-level drawdowns, stress-period five, time-step ten, after 199.9 years into simulation for (A) upper model layer and (B) lower model layer.



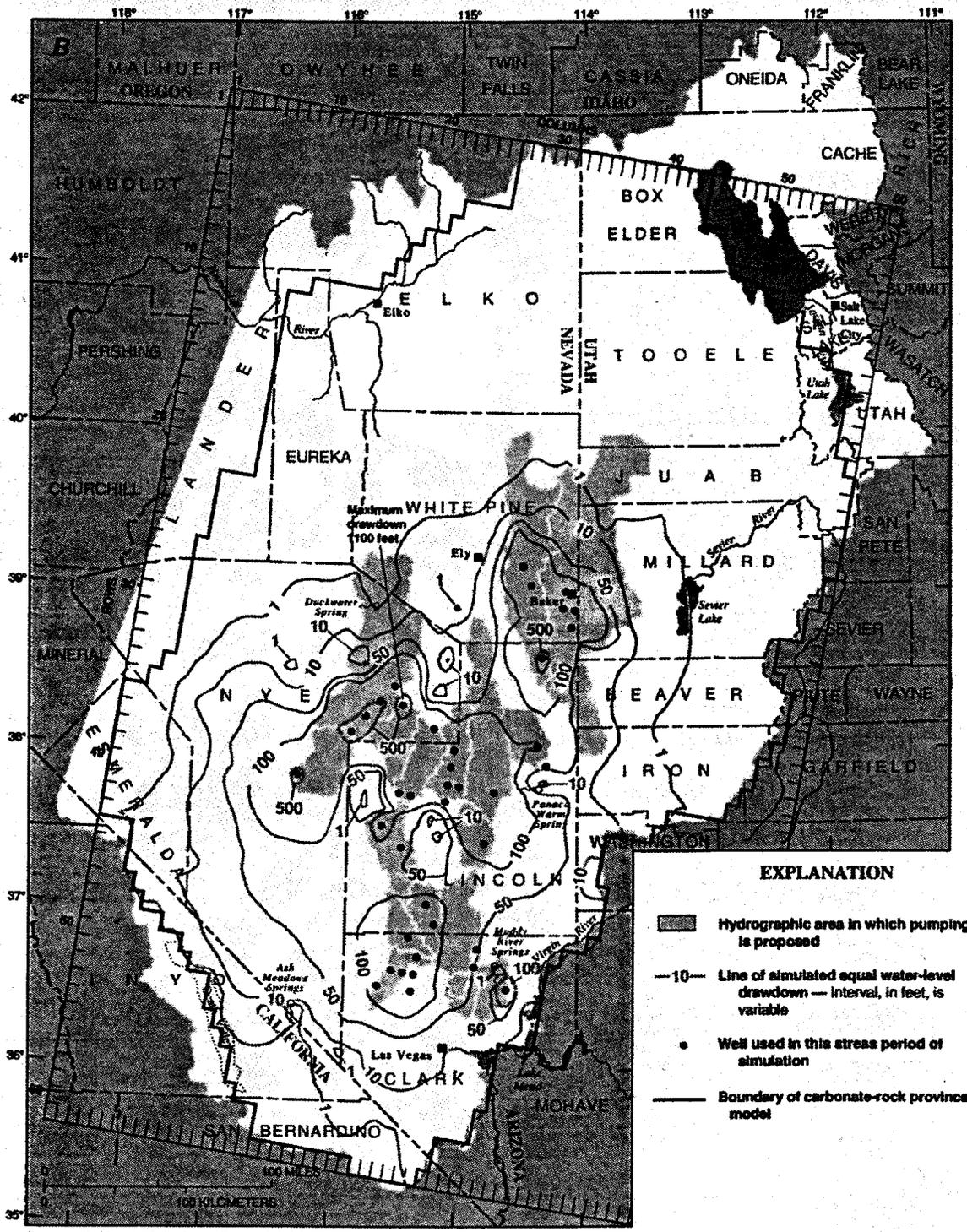
Base modified from U.S. Geological Survey digital data, 1:100,000 and 1:250,000
 Albers Equal-Area Conic projection
 Standard parallels 29°30' and 45°30', central meridian -114°

Figure 9. Continued.



Base modified from U.S. Geological Survey digital data, 1:100,000 and 1:250,000
 Albers Equal-Area Conic projection
 Standard parallels 29°30' and 45°30', central meridian -114°

Figure 10. Simulated water-level drawdowns at final steady-state simulation for (A) upper model layer and (B) lower model layer.



Base modified from U.S. Geological Survey digital data, 1:100,000 and 1:250,000
 Albers Equal-Area Conic projection
 Standard parallels 29°30' and 45°30', central meridian -114°

Figure 10. Continued.

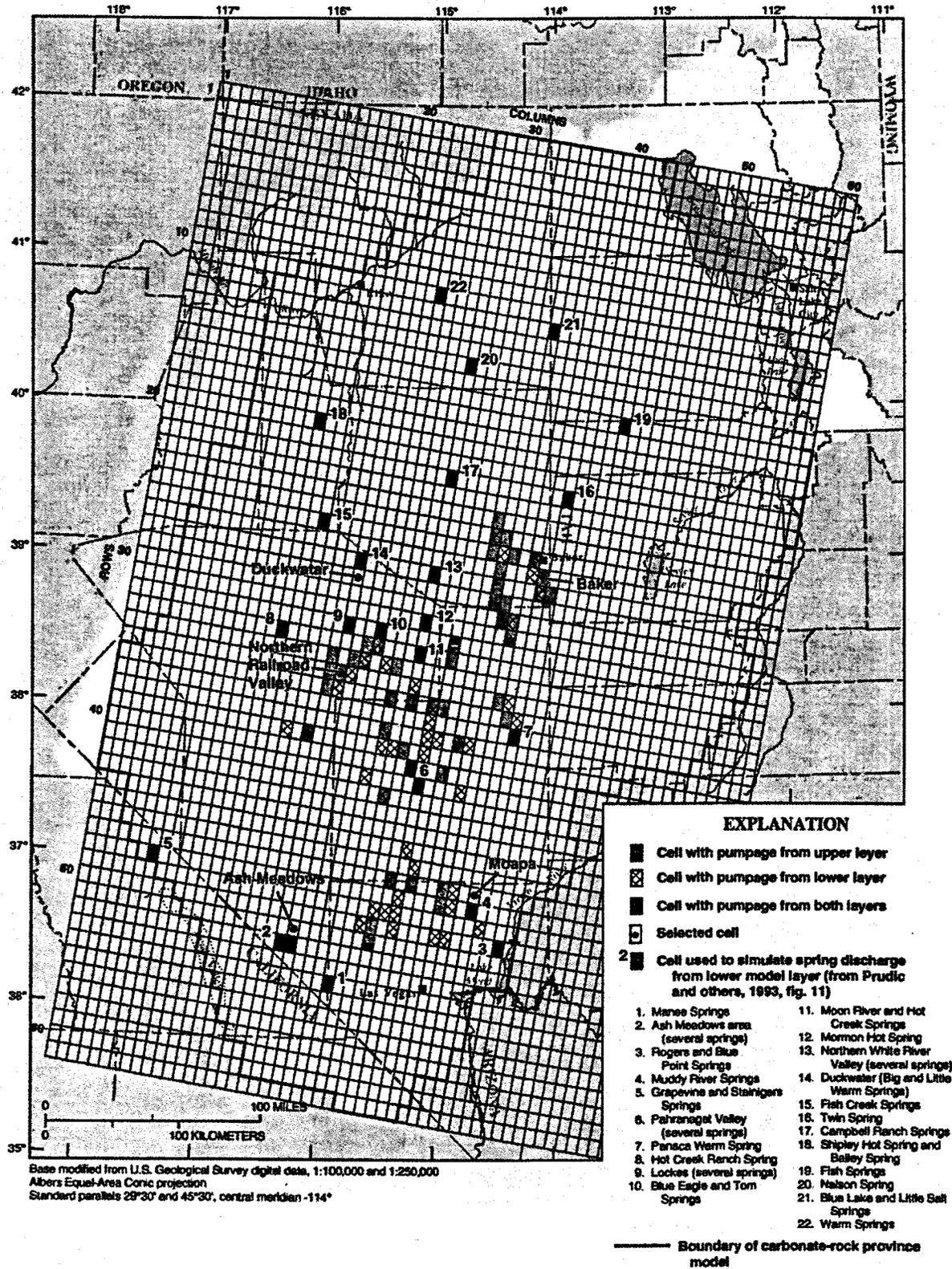


Figure 11. Location of spring cells, pumping cells, and selected cells in model grid.

Figure 12 shows two hydrographs for the selected cells in the northern part of Railroad Valley (173B), one near Duckwater spring (column 21, row 29) and one near the southern part of the valley (column 21, row 35). Drawdown is not simulated at these places until after 18 years (the fourth stress period), when pumpage is assigned in Railroad Valley, then drawdowns increase steadily.

Simulated drawdowns at the selected cell near Duckwater are small, generally a few tenths of a foot in the upper layer and lower layer. The simulated draw-

down at the selected cell in the southern part of the valley is more substantial, approaching 100 ft in both the upper and lower layers. Because placement of the proposed pumping wells is primarily in the southern part of Railroad Valley, pumping will have much more effect on water levels in the southern part than in the northern part.

Figure 13 shows hydrographs for three selected cells representing areas near Ash Meadows springs, Baker, and Moapa (locations shown in fig. 11).

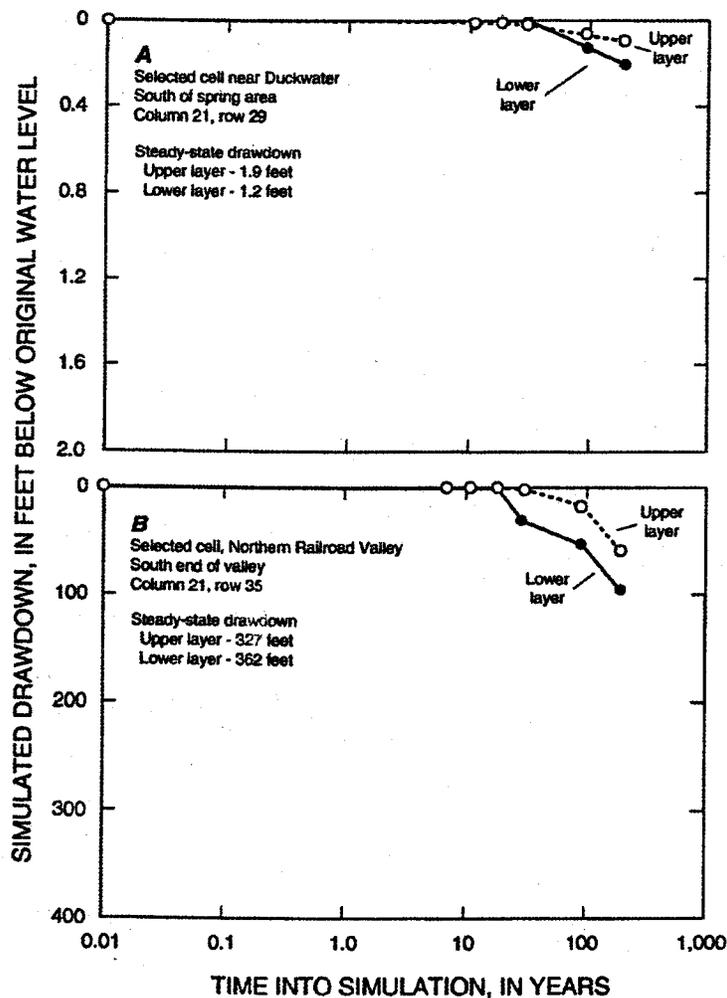


Figure 12. Hydrographs for two selected cells representing areas in northern Railroad Valley, east-central Nevada.

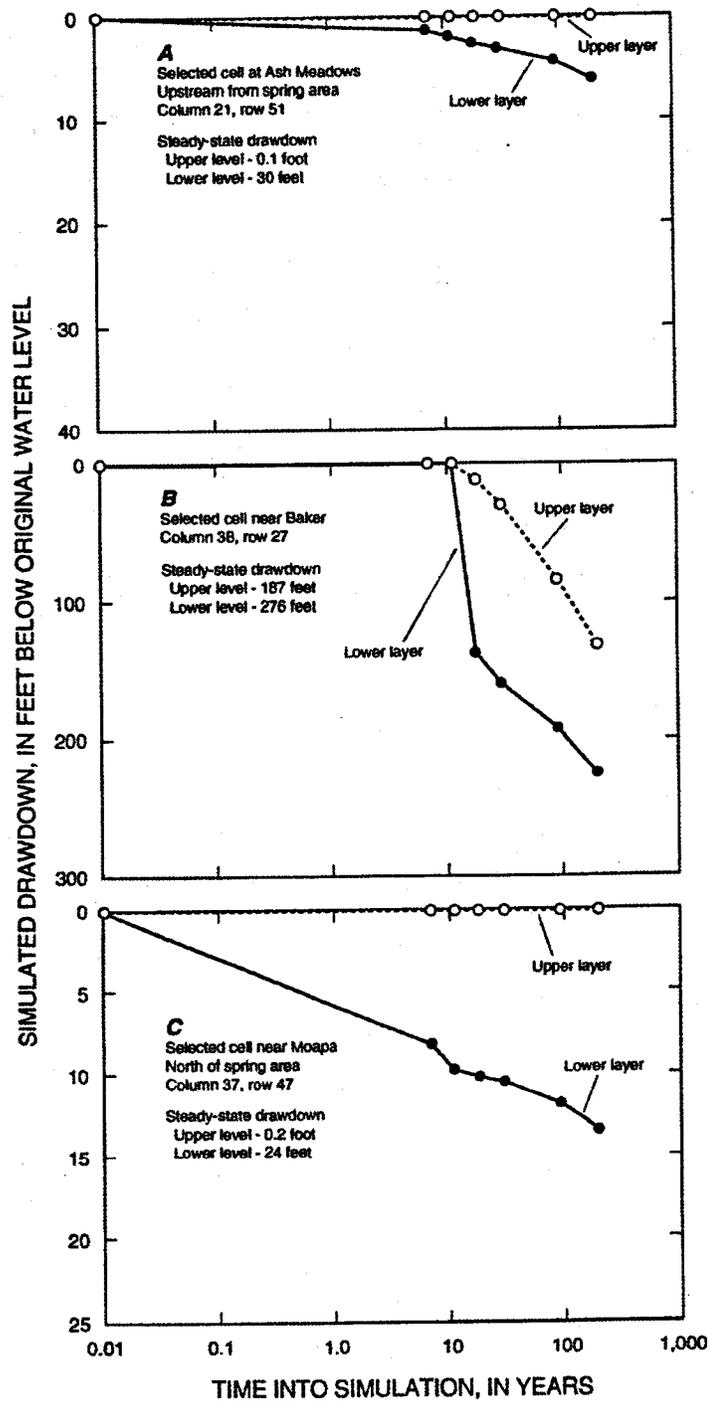


Figure 13. Hydrographs for three selected cells representing areas near Ash Meadows springs, Baker, and Moapa, southern Nevada.

The selected cell near Ash Meadows shows small changes in the simulated water level in the lower layer soon after the simulation is started. The simulated drawdown increases after about 7 years (during stress-period two), then increases rapidly after 100 years (during stress-period five). Equilibrium in the water level of the lower layer is not achieved even during the last stages of the model simulation. Simulated drawdowns in the lower layer near Ash Meadows springs reach a maximum of about 6 ft, whereas no decline is apparent in the upper layer. The hydrograph for the cell near Baker shows that effects from pumping begin after 10 years into the simulation, when pumping begins in Snake Valley. Simulated drawdowns increase steadily, exceeding 100 ft in the upper layer and 200 ft in the lower layer.

The selected cell near Moapa shows small declines in the lower layer and virtually no drawdown in the upper layer. The lower-layer drawdowns begin almost immediately, due to pumpage in the general area, and continue to increase throughout the entire 200 years of simulation. Simulated drawdowns in the lower layer at the Moapa cell reach about 13 ft near the end of the simulation.

Regional Springs

Effects of pumping on regional springs can be attributed to many factors. One of the most important factors is the distance from the proposed pumping to the springs. Most of the proposed well sites (shown as pumping cells in fig. 11) are miles from the major regional springs in the carbonate-rock province. As the wells are pumped, the removal of water from the ground-water system can, in some places, result in a decrease in flow at the springs. These regional springs commonly support large populations of wildlife, including several threatened or endangered species and, consequently, may be of interest to the Federal Government.

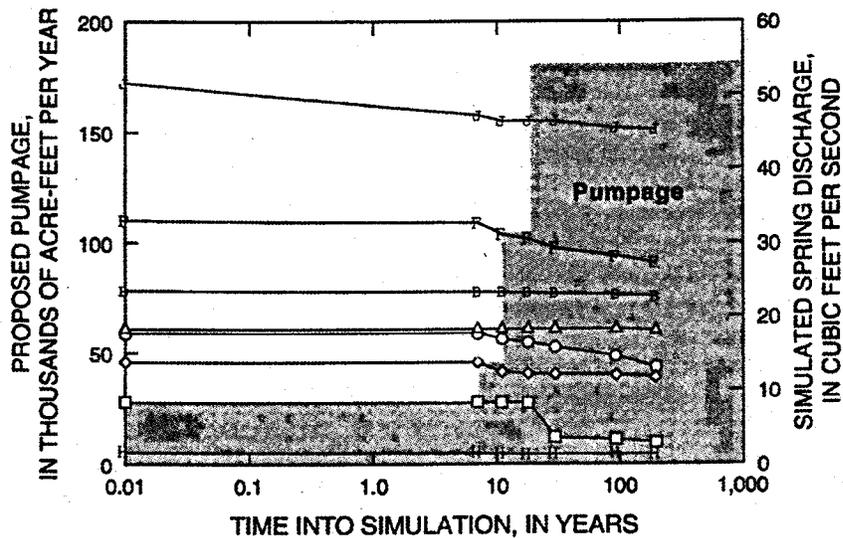
As discussed by Prudic and others (1993), regional springs in the carbonate-rock province are treated as discharging from the lower layer in the model. Because of the coarseness of the model grid, these springs must occupy a cell size of 5 by 7.5 mi. Exact effects at the spring itself are difficult to predict because of this grid coarseness. The model can only show that flow at these springs might be reduced, depending on the amount and location of pumpage.

Figure 14 shows how simulated flow from several selected regional springs may be affected by the proposed pumping schedule. The Muddy River spring complex (No. 4, figs. 11 and 14) demonstrates some early effects from the simulated pumping schedule. The simulated flows decreased by almost 10 percent (about 4 ft³/s) by the end of the first phase of development and continued to decrease until much later in the simulation. After about 100 years of pumping, simulated springflow has decreased about 11 percent (6 ft³/s). This spring is affected early in the simulation because of its proximity to the areas in southern Nevada that will be pumped first.

Other springs shown in figure 11 have similar decreases. The combined flow from Hiko, Crystal, and Ash Springs (Pahrnagat Valley) decreased about 14 percent (5 ft³/s) after 100 years (end of time-step five, stress-period five). Simulated discharge at the Duckwater spring area in Northern Railroad Valley is relatively unaffected by pumpage in the valley even during later time steps. Water-level declines are less than 1 ft near the north end of Railroad Valley (fig. 8B). Springs in the central part of Northern Railroad Valley (Lockes, Blue Eagle, and Tom Springs) exhibit no decrease until pumpage from the valley is simulated during the fourth phase of the water project (after 18 years). Once pumping commences in Railroad Valley, flow from these springs decreases rapidly (fig. 14).

The spring complex at Ash Meadows (No. 2, fig. 11), shows little change in flow until about 100 years into the simulation (fig. 14), with a decrease of about 2 percent (about 0.5 ft³/s). Subsequently, flow from the springs continues to decrease throughout the simulation.

The other springs shown in figure 11 do not generally show effects of pumpage to any great degree. This is probably due to the distance between these springs and any pumping centers, or possibly the effect of intervening hydrologic boundaries. Moon River and Hot Creek Springs and Panaca Warm Spring do, however, show a decrease in springflow in the later time steps of stress-period five (greater than 100 years of model simulation). Table 3 lists the discharge from the various springs shown in figures 11 and 14 for the selected stress periods.



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Spring — Number in parentheses is map number in figure 11 and cell number in table 3. Simulated steady-state pumpage is listed in table 3.

B	Ash Meadows (2)	◇	Panaca (7)
H	Rogers, Blue Point (3)	□	Blue Eagle, Tom, Lockes (9 and 10)
J	Muddy River (4)	○	Moon River, Hot Creek (11)
F	Pahrnagat (6)	△	Duckwater (14)

Figure 14. Changes in discharge of selected regional springs with changing pumpage, east-central and southern Nevada.

Evapotranspiration

Sustained pumpage of ground water can cause declines in water levels that may affect plants that send roots down far enough to reach the water table. These plants, known as phreatophytes, are the major source of ground-water discharge in many valleys. This use of ground water by phreatophytes is one part of the

overall ground-water discharge quantity called evapotranspiration, or ET. The other component is actual evaporation, whether from a free water surface, such as standing water exposed to the atmosphere on a playa, or water beneath the ground surface but shallow enough to move upward by capillary action and evaporate.

Table 3. Estimated flow, simulated steady-state flow, and flow at selected times during simulated pumping, for selected springs, east-central and southern Nevada

[All values in cubic feet per second]

Spring name (fig. 11)	Cell no. (fig. 11)	Estimated flow ¹	Simulated steady-state flow ¹	Time into simulation							Final steady state
				7 years	11 years	18 years	30 years	100.7 years	199.9 years		
Mans	1	6.1	5.40	5.40	5.40	5.39	5.39	5.36	5.35	5.06	
Ash Meadows	2	23.4	23.48	23.32	23.25	23.16	23.10	22.93	22.71	19.54	
Rodgers/Blue Point	3	2.1	1.61	1.51	1.46	1.41	1.39	1.37	1.36	1.28	
Muddy River	4	49.7	51.66	47.27	46.49	46.53	46.44	45.77	45.08	40.44	
Grapevine/Stainigers	5	1.4	1.01	1.01	1.01	1.01	1.01	1.01	1.01	0.99	
Pahrangat (total)	6	33.7	32.93	32.64	31.09	30.44	29.25	28.16	27.18	20.52	
Panaca	7	10.9	13.71	13.71	12.49	12.28	12.21	12.06	11.86	8.70	
Hot Creek Ranch	8	2.5	2.77	2.77	2.77	2.77	2.77	2.76	2.76	2.50	
Lockes	9	3.2	3.89	3.88	3.89	3.88	3.61	3.35	3.20	1.43	
Blue Eagle/Tom	10	5.0	4.43	4.43	4.44	4.43	0	0	0	0	
Moon River/Hot Creek	11	17.4	17.75	17.75	16.84	16.43	15.81	14.41	13.00	2.22	
Mormon Hot	12	4.3	3.04	3.04	3.03	3.02	3.01	2.97	2.94	2.70	
Northern White River Valley	13	16.0	14.20	14.20	14.19	14.16	14.13	14.01	13.90	13.10	
Duckwater	14	15.2	18.30	18.30	18.30	18.30	18.29	18.28	18.27	18.16	
Fish Creek	15	5.4	3.83	3.83	3.83	3.83	3.83	3.83	3.83	3.78	
Twin	16	4.0	5.53	5.53	5.54	5.39	5.31	5.19	5.12	5.00	
Campbell Ranch	17	10.6	10.19	10.19	10.19	10.19	10.19	10.17	10.16	10.10	
Shipley Hot/Bailey	18	7.8	6.05	6.05	6.05	6.05	6.05	6.05	6.05	6.05	
Fish	19	37.4	35.50	35.49	35.50	35.49	35.48	35.46	35.44	35.36	
Nelson	20	1.3	2.51	2.51	2.51	2.51	2.51	2.51	2.51	2.51	
Blue Lake/Little Salt Warm	21 22	24.9 4.4	27.78 6.85	27.78	27.78	27.78	27.77	27.78	27.78	27.77 6.85	

¹ Prudic and others (1993, table 1).

Table 4 lists ET changes for selected groups of cells during the selected time steps of the simulation. This simulated discharge is in addition to simulated spring discharge, most of which is ultimately consumed by ET. These groups of cells represent areas in several ground-water basins where phreatophytes are consuming ground water. In many valleys, this area of ET is in the center of the valley where ground water is near land surface and phreatophytes or evaporation can cause discharge from the ground-water system. Evapotranspiration can often be the major source of discharge in some of the basin-fill aquifers. This is the case in Railroad Valley where outflow from the ground-water system of the entire valley (including Duckwater and other springflow) due to ET was estimated to be 80,000 acre-ft/yr (Van Denburgh and Rush, 1974,

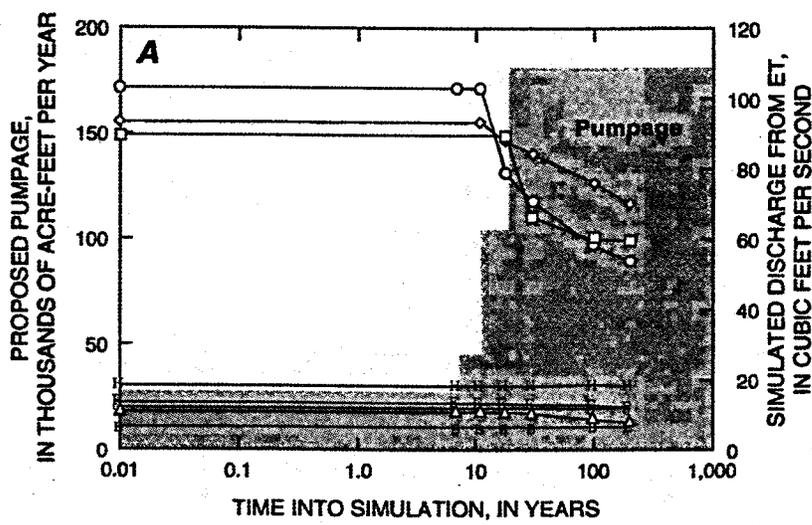
p. 29), and is by far the largest component of discharge. Spring Valley also has a large discharge component due to ET. Rush and Kazmi (1965, table 7) estimated an ET discharge of 70,000 acre-ft/yr in the valley. Table 4 also shows that the three valleys with the largest proposed pumping (Railroad, Spring, and Snake Valleys) have the largest decrease in ET rates.

Figure 15 shows the relation between the rate of ET from these groups of cells to proposed phased pumpage in the study area. Most cells show little effect of the pumping during the early stress periods because water from storage supplies the requirements. The cells representing ET areas in virtually all the valleys, however, show some effect from the pumpage, usually starting within about 30 years from the onset of pumping.

Table 4. Simulated pumpage and evapotranspiration rates in selected areas, east-central and southern Nevada

Stress period	Time step	Years into simulation	Total pumpage		Evapotranspiration (cubic feet per second)					
			Acre-feet per year	Cubic feet per Second	Death Valley	Amargosa area	Las Vegas Valley	Lower White River Valley	Pahrangat Valley	Garden, Coal Valleys
Steady-state model		0	0	0	6.66	11.98	34.26	18.28	13.49	0.00
1	2	7	24,500	32.75	6.64	11.98	34.23	18.25	13.41	.00
2	2	11	47,000	62.83	6.66	11.98	34.20	18.23	13.33	.00
3	2	18	118,000	157.75	6.66	11.97	34.17	18.19	13.18	.00
4	3	30	180,800	241.71	6.67	11.97	34.16	18.13	12.95	.00
5	5	100	180,800	241.71	6.66	11.91	34.11	17.79	12.10	.00
5	10	200	180,800	241.71	6.66	11.84	34.02	17.40	11.25	.00
Final steady-state			180,800	241.71	6.58	10.18	32.45	14.70	6.04	.00

Stress period	Time step	Years into simulation	Total pumpage		Evapotranspiration (cubic feet per second)					
			Acre-feet per year	Cubic feet per Second	Southern Railroad Valley	Northern Railroad Valley	White River Valley	Spring Valley	Lake Valley	Snake Valley
Steady-state model		0	0	0	2.99	89.38	19.34	102.97	10.87	93.51
1	2	7	24,500	32.75	2.99	89.38	19.36	102.97	10.87	93.52
2	2	11	47,000	62.83	3.00	89.40	19.36	102.99	10.89	93.53
3	2	18	118,000	157.75	2.99	89.38	19.34	78.41	10.72	87.19
4	3	30	180,800	241.71	2.96	65.71	19.33	70.37	10.37	84.27
5	5	100	180,800	241.71	2.59	56.76	19.25	57.76	8.68	75.28
5	10	200	180,800	241.71	2.16	52.01	19.16	53.04	7.46	68.79
Final steady-state			180,800	241.71	.19	43.38	18.27	46.94	3.46	56.55



- EXPLANATION**
- Hydrographic areas for which changes in simulated evapotranspiration (ET) are shown — Map numbers (figure 15B) are indicated in parentheses. Simulated new steady-state evapotranspiration rates are listed in table 4
- J Amargosa Desert (1)
 - B Death Valley (2)
 - Δ Lake Valley (3)
 - F Pahrangat Valley (4)
 - Railroad Valley (5)
 - ◇ Snake Valley (6)
 - Spring Valley (7)
 - H White River Valley (8)

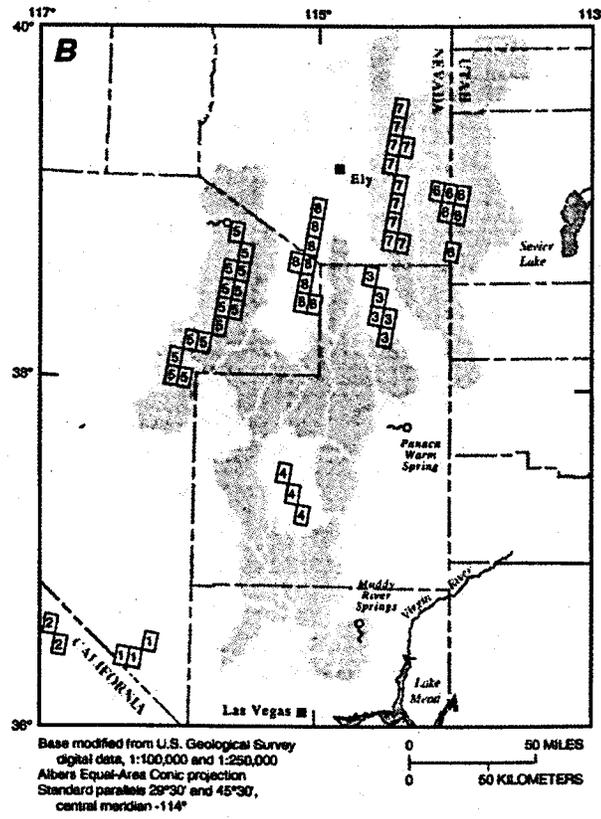


Figure 15. Changes in simulated evapotranspiration at cells in selected basins with changes in proposed pumpage.

Sensitivity of Model Results to Storage Values

To test the sensitivity of the model to input values, several additional simulations were made by varying the values of aquifer storage. Transmissivity values from the original model (Prudic and others, 1993) were not tested during this study. Previous sensitivity analyses were deemed sufficient, and although transmissivity values may be more variable than storage values in a given geologic unit, storage values may be more responsible for long-term effects in the simulation.

The storage values for both the basin-fill and carbonate aquifers are not well known, and may cause the results of the model to vary significantly. Changing

the storage values of the upper layer by a range of ± 50 percent, and changing the storage values of the lower layer to the two endpoints of 7.6×10^{-5} and 1.2×10^{-3} , were assumed to give a reasonable test of how results might change. The model was rerun using these adjusted storage values, and figures 16 through 18 show how various key budget components change throughout the simulation, compared to the results obtained using the original storage values.

Figure 16 shows how regional spring discharge varies in response to changing storage-coefficient estimates. In general, storage-coefficient values for the upper layer have little effect on simulated spring discharge. At any given time, the smaller storage coefficients cause less discharge from the drains, whereas larger storage values for the upper layer allow for more

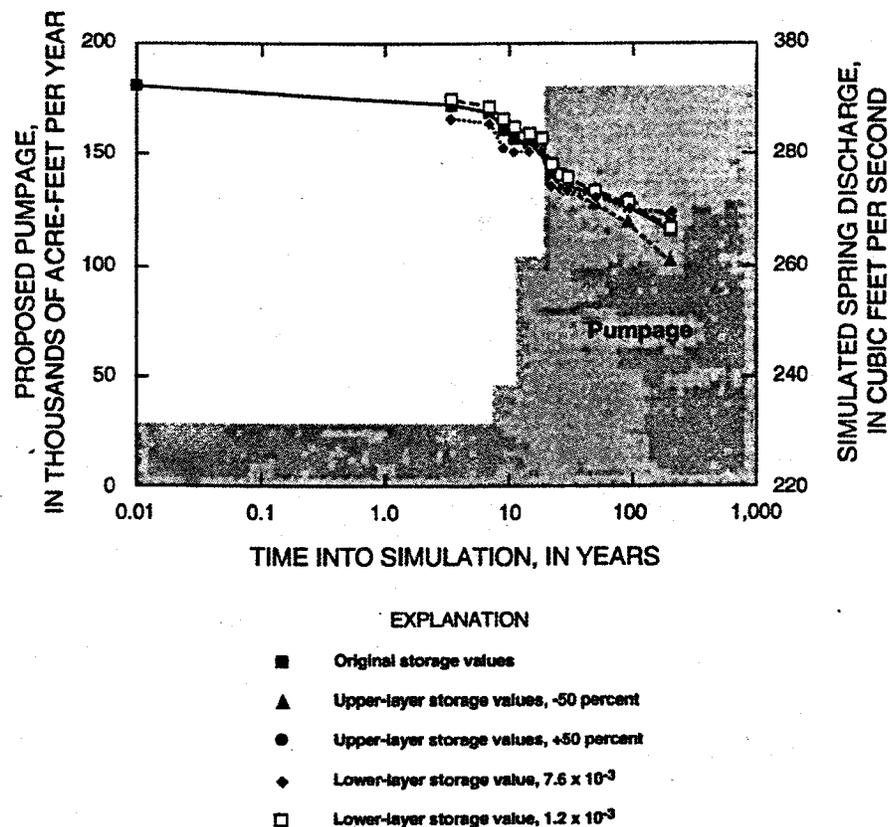


Figure 16. Changes in total model-simulated spring discharge with selected storage values and changing pumpage, east-central and southern Nevada. (All simulated spring discharge totals for the several values converged to a simulated total spring discharge of 234 cubic feet per second in the steady-state simulation.)

discharge. Adjusting the lower-layer storage coefficient has virtually no effect on the simulated spring discharge of the model.

Figure 17 shows how simulated evapotranspiration changes in response to varying storage coefficients. During the first 10 years of the simulation, simulated ET differs little for any of the storage-coefficient values shown in figure 17. However, as the simulation continues and pumpage increases, simulated ET begins to decrease as it is captured by pumping. The simulated rate of decrease in ET varies with the values assigned to the upper layer storage coefficient. Generally, decreasing the storage coefficient caused ET to be captured more quickly.

The model is relatively insensitive to changes in the lower layer, which has a storage coefficient typical of a confined aquifer. The amount of evapotranspiration ultimately captured by pumping is the same (about 190 ft³/s), so varying the storage coefficient has no effect on the ultimate reduction of evapotranspiration. Adjusting the lower-layer storage coefficient has virtually no effect on the simulated ET discharge of the model.

After 100 years, the simulated change in ET ranged from about 48 percent of the total change in ET (with the storage coefficients in the upper layer increased by 50 percent) to about 62 percent of the total change in ET (with the storage coefficients in the upper layer decreased by 50 percent).

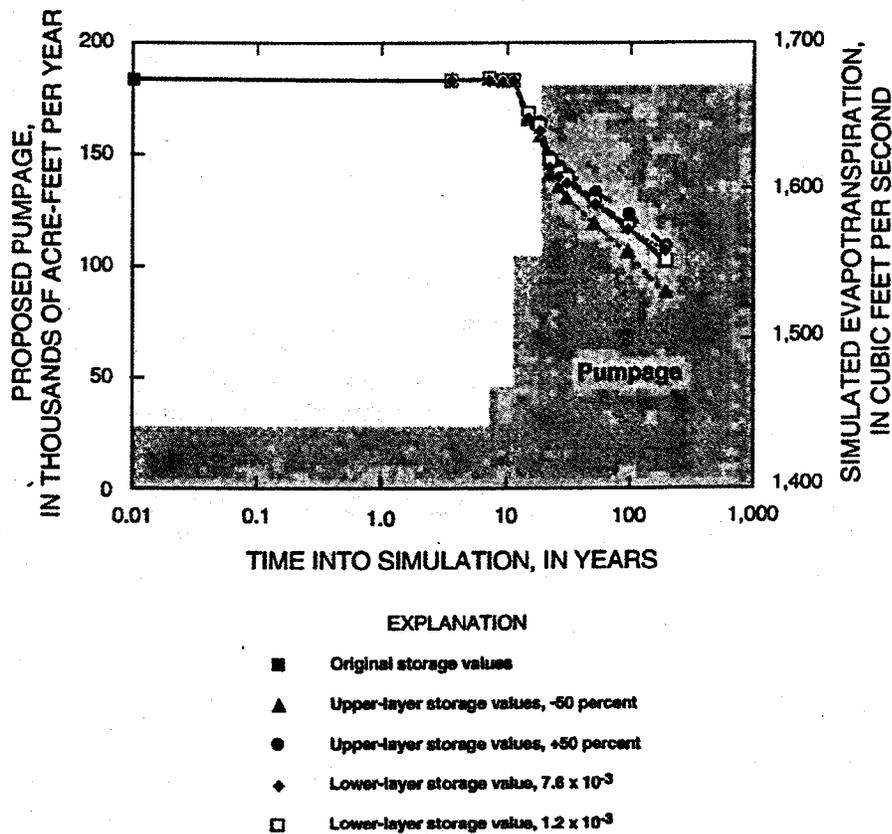


Figure 17. Changes in total model-simulated evapotranspiration with selected storage values and changing pumpage, east-central and southern Nevada. (All total model-simulated evapotranspiration for the several storage values converged to 1,484 cubic feet per second in the steady-state simulation.)

Figure 18 shows how varying aquifer storage coefficients affect the amount of ground water coming out of storage. The graph demonstrates that the model is somewhat insensitive to varying the storage coefficients, but is extremely sensitive to increasing pumping rates. As the overall rates are increased with time, more water is withdrawn from storage to satisfy the demand. As the time steps progress within each stress period, an equilibrium is reached or a decline takes place as water is drawn from other sources to feed the pumpage.

Figures 19-23 are hydrographs from the selected cells described previously that show the effect of changing storage values. Figure 11 shows the locations of these cells in relation to the proposed pumping schedule of LVVWD. Figure 19 contains a hydrograph for each layer of the selected cell near Ash Meadows and shows virtually no change in the simulated drawdown in either layer due to storage-

coefficient variations. The upper layer shows a difference of less than 0.01 ft after about 100 years of simulation. The lower layer shows a difference of about 3 ft of simulated drawdown after the same period.

Figure 20 shows simulated drawdowns for both layers at the selected cell near Baker. The hydrograph for the upper layer shows considerable variation after 100 years into the simulation, with about 90 ft of difference in water levels computed using the two storage-coefficient end points. The difference in simulated drawdowns in the lower layer is less, with about 40 ft of difference after the same 100 years of simulation.

Figure 21 shows the simulated drawdowns at the selected cell near Duckwater in Northern Railroad Valley. Both layers demonstrate an insensitivity to storage-coefficient changes by differing less than 0.2 ft after about 100 years of simulated pumping.

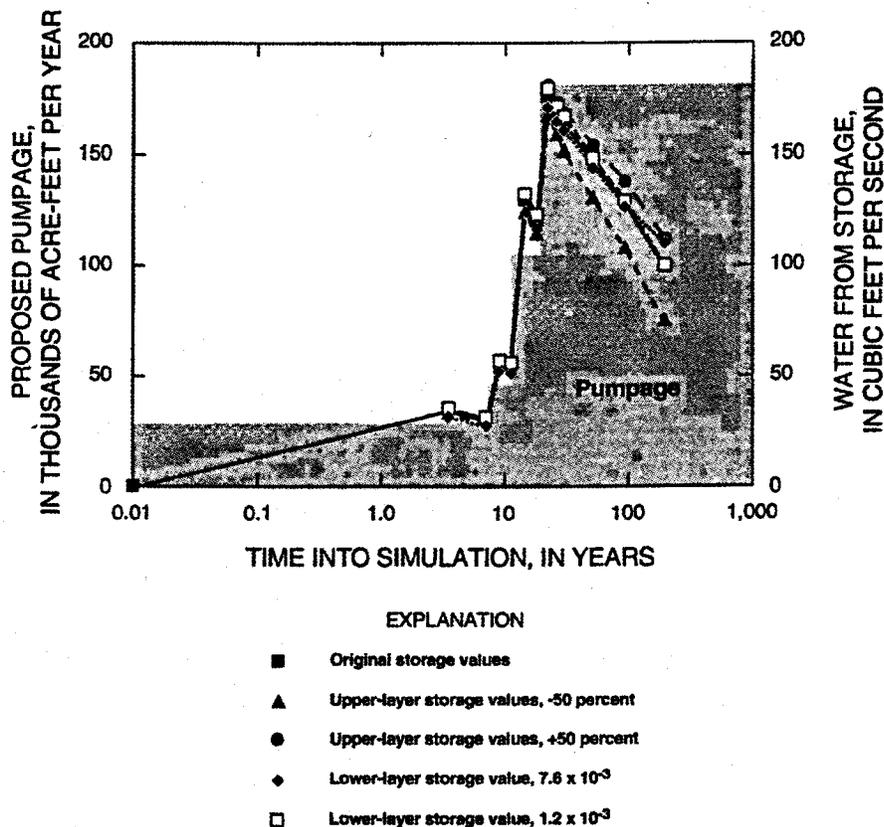
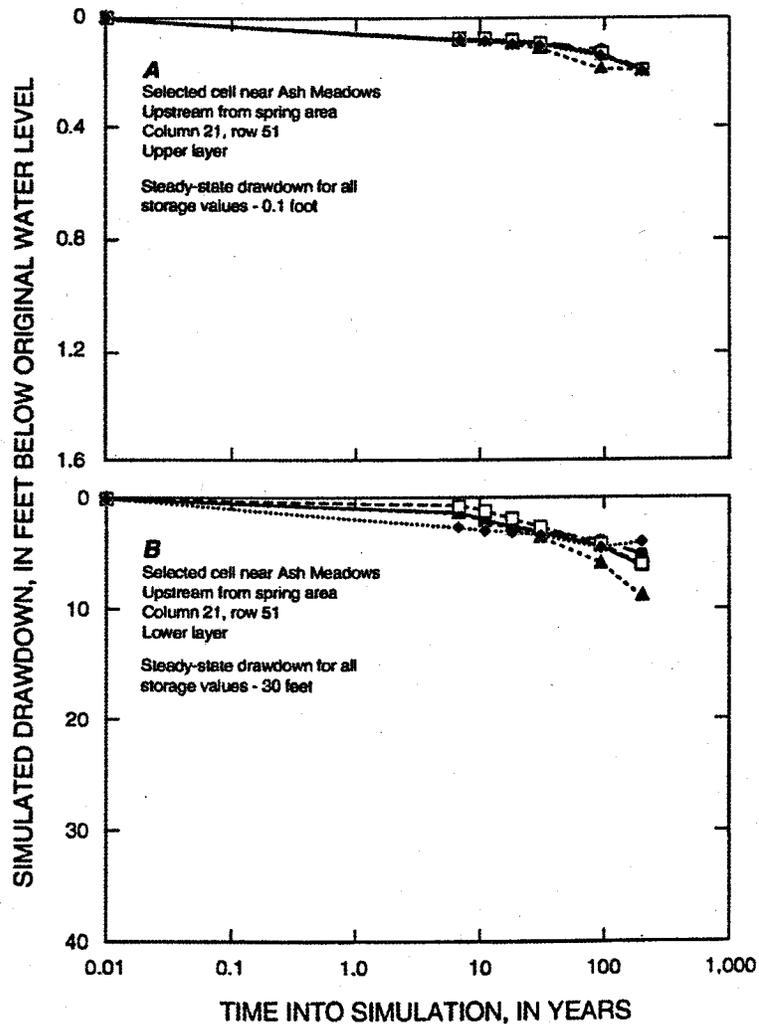


Figure 18. Changes in total model-simulated water removed from storage with selected storage values and changing pumpage, east-central and southern Nevada.



EXPLANATION

- Original storage values
- ▲ Upper-layer storage values, -50 percent
- Upper-layer storage values, +50 percent
- ◆ Lower-layer storage value, 7.6×10^{-3}
- Lower-layer storage value, 1.2×10^{-3}

Figure 19. Hydrographs of simulated water-level drawdowns associated with selected storage values for selected cell representing an area in Ash Meadows, southern Nevada. A, upper layer. B, lower layer.

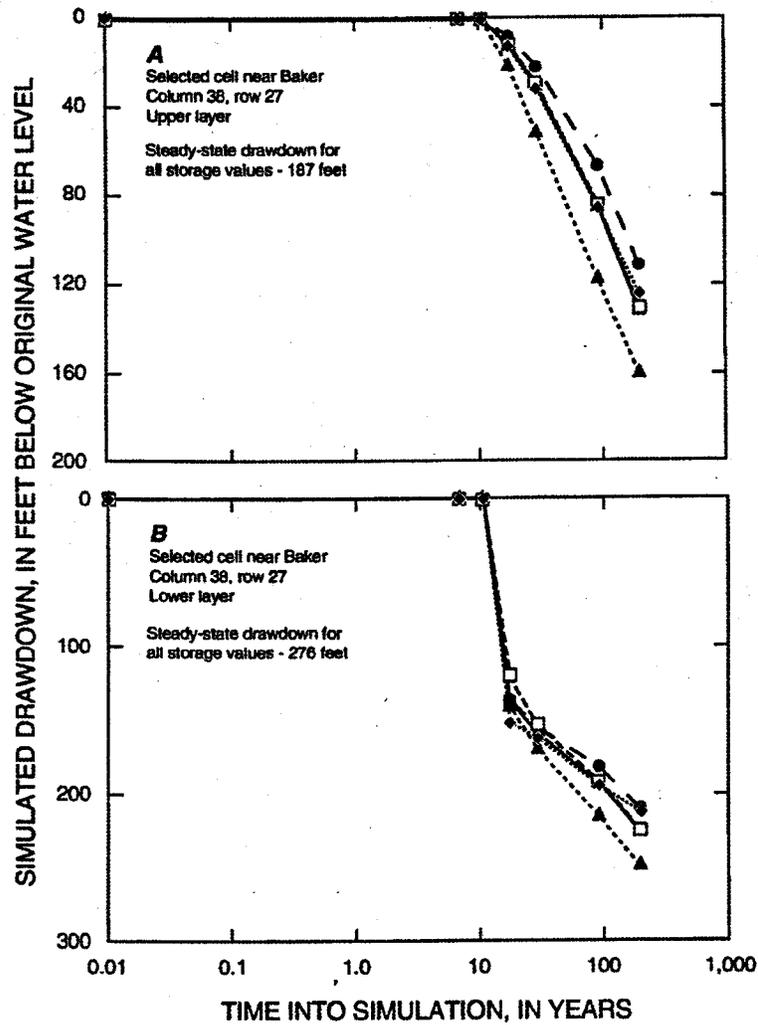


Figure 20. Hydrographs of simulated water-level drawdowns associated with selected storage values for selected cell representing an area at Baker, east-central Nevada. A, upper layer. B, lower layer.

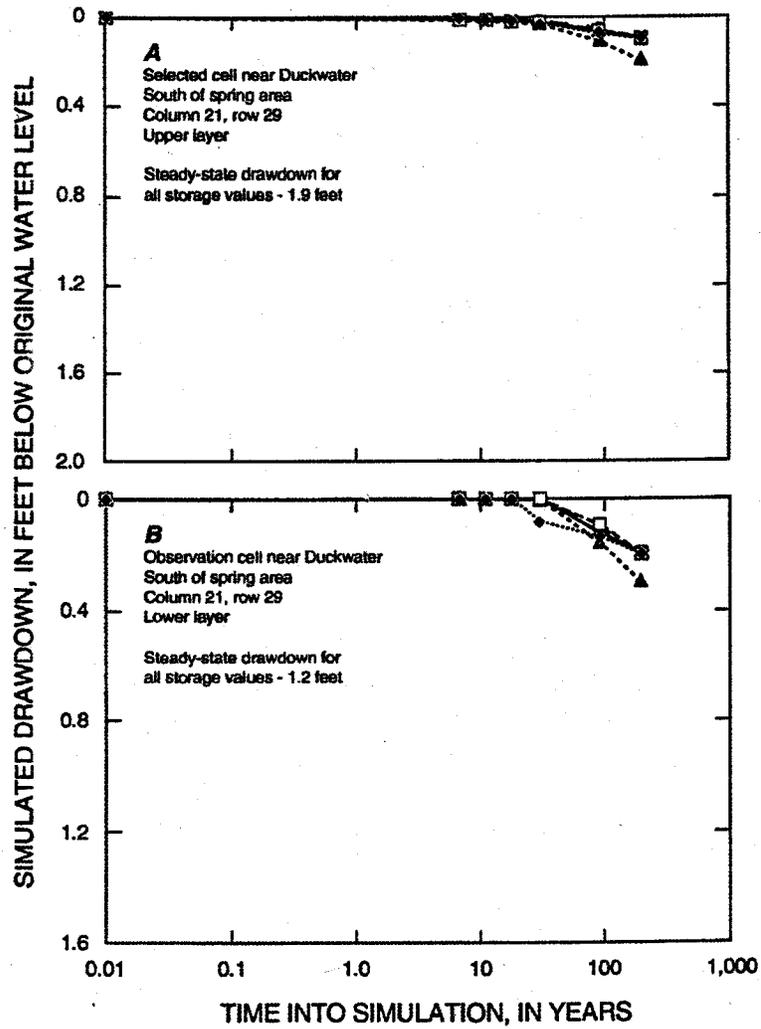


Figure 21. Hydrographs of simulated water-level drawdowns associated with selected storage values for selected cell representing an area at Duckwater, east-central Nevada. A, upper layer. B, lower layer.

Figure 22 shows the simulated drawdowns at the selected cell in Northern Railroad Valley in both layers. The upper layer demonstrates a difference in drawdowns of about 40 ft after about 100 years into the simulation. The lower layer shows a difference of about 50 ft after the same time period.

Figure 23 shows the simulated drawdowns at the selected cell near Moapa for both layers. The upper layer shows a difference of about 0.02 ft in the simulated drawdowns and the lower layer shows about a 2-ft difference, after about 100 years into the simulation.

Overall, the model appears to be relatively insensitive to variations in aquifer storage coefficients. Changes in these values elicit only minor changes in evapotranspiration, spring discharge, movement of ground water out of storage, and variations in simulated drawdowns. Changes in pumping—location and rate—have a greater influence on model results.

Ultimate Source of Pumped Water

The simulation of pumping ground water in east-central and southern Nevada illustrates several concepts discussed by Theis (1940). The ultimate source of pumped ground water in an aquifer system is an increase in recharge, a decrease of natural discharge, or removal of ground water from storage. As was stated succinctly by Theis (p. 280), "All water discharged by wells is balanced by a loss of water somewhere."

The boundaries for this simulation do not allow additional water to be made available to the ground-water system of the Great Basin; pumpage will not increase precipitation and, hence, recharge. If wells were placed near some of the bounding surface-water bodies, some additional water would recharge the local ground water to make up any deficit caused by pumping. But throughout the study area, additional water from these sources is not available.

The previous discussion of how pumping in the study area affects ET and spring discharge suggests that much of the ground water pumped would be derived from these sources. Since ET is dependent on shallow water levels to support vegetation, once water levels decline sufficiently, ET would cease. Simulated spring discharge is also affected by the proposed

pumping in the sense that ground-water flow to the spring is intercepted by the expanded cones of depression of the wells.

The last source of water available to the proposed pumping is from ground water in storage. Figure 24 illustrates the change in various ground-water model budget components as the simulation progresses. Also shown is a series of figures illustrating the source of water pumped in the simulation. Early in the simulation, the major source of pumped water is from ground-water storage (83 percent at 9 years into the simulation). As the simulation progresses, less and less water is removed from storage and the remainder of the pumped water comes from reduction in ET and spring discharge. The final stage of this progression is the steady-state simulation, where none of the pumped water is from storage, 77 percent is from what had been used by ET, and 23 percent is from reduction of spring-flow. This represents a simulated equilibrium within the ground-water system.

Limitations and Uses of the Model

Simulations of the proposed pumpage show that many aspects of the ground-water systems in the Great Basin may be affected. The simulations were based on a computer model of regional ground-water flow that greatly simplifies the complex distribution of geology and, consequently, the hydraulic properties of many of the rocks in the Great Basin. As the authors of the original model state, "Simulation results are based on assuming recharge to the province is known with the distribution of transmissivities simulated to match the general distribution of water levels and estimates of discharge. However, water levels in consolidated rocks are generally unknown and estimates of recharge and discharge are known only approximately" (Prudic and others, 1993, p. 91).

The adequacy of the model in simulating the effects of the proposed pumping will remain untested until actual pumping stresses have been in place long enough to cause measurable effects within the system. This would allow for calibration of transient simulations that was not possible with the previous model.

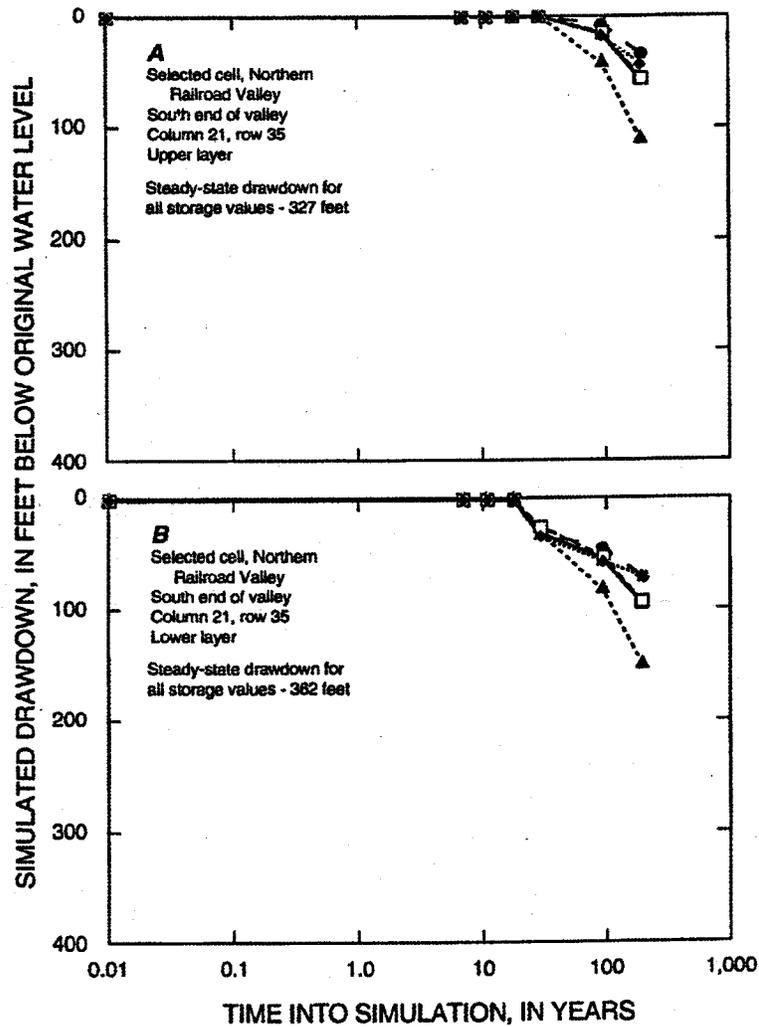
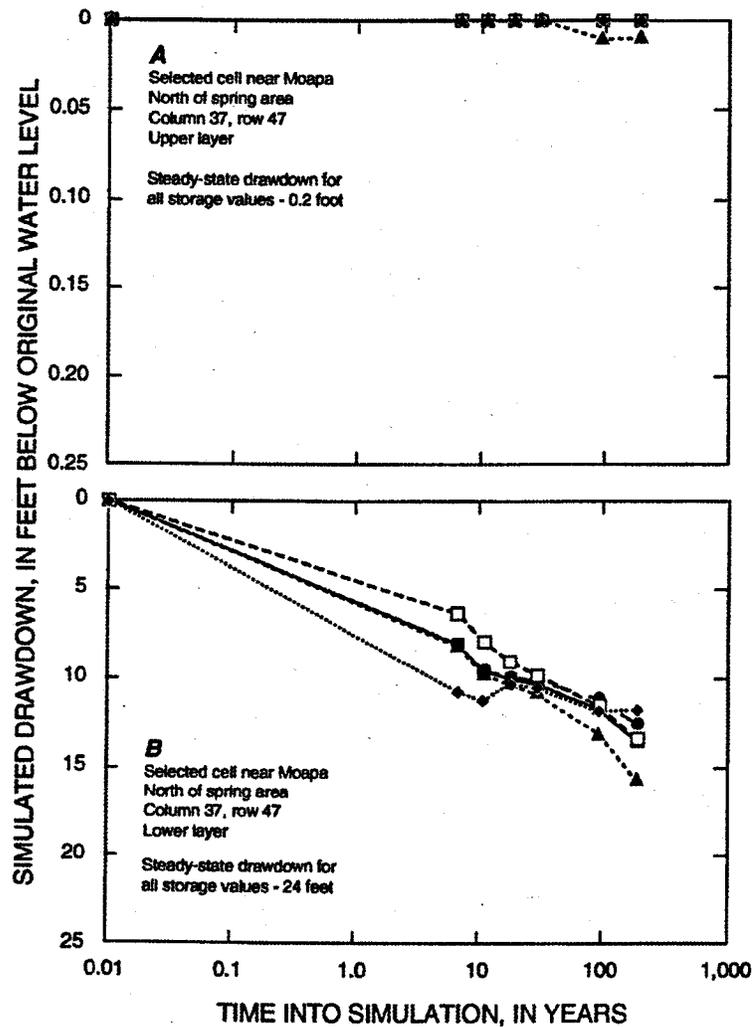


Figure 22. Hydrographs of simulated water-level drawdowns associated with selected storage values for selected cell representing an area in northern Railroad Valley, east-central Nevada. A, upper layer. B, lower layer.



EXPLANATION

- Original storage values
- ▲ Upper-layer storage values, -50 percent
- Upper-layer storage values, +50 percent
- ◆ Lower-layer storage value, 7.6×10^{-3}
- Lower-layer storage value, 1.2×10^{-3}

Figure 23. Hydrographs of simulated water-level drawdowns associated with selected storage values for selected cell representing an area at Moapa, southern Nevada. A, upper layer. B, lower layer.

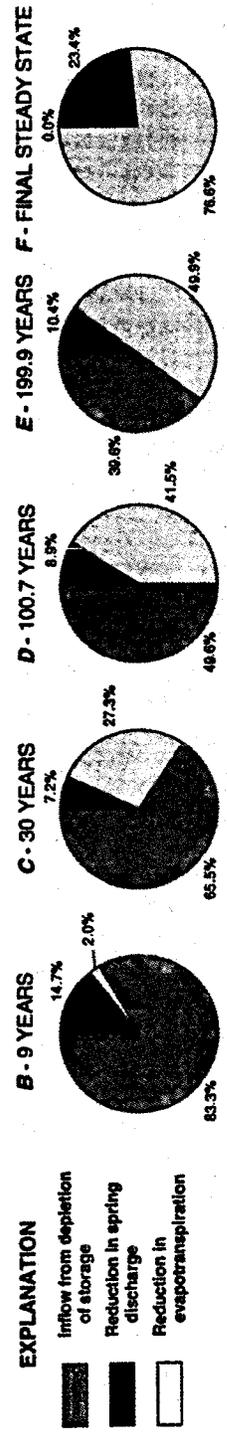
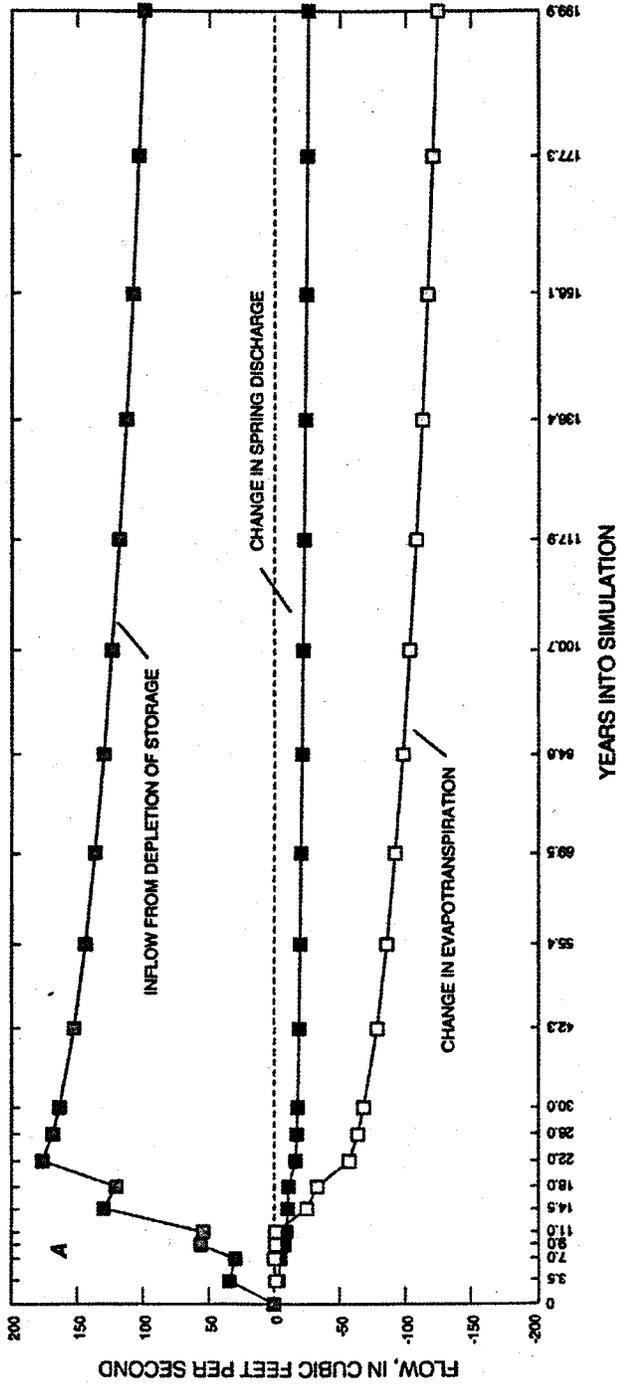


Figure 24. Changes in model-budget components and sources of pumpage, east-central and southern Nevada.

SUMMARY AND CONCLUSIONS

In 1989, the Las Vegas Valley Water District (LVVWD) filed applications with the Nevada State Engineer for water rights in east-central and southern Nevada. These applications would result in a maximum pumpage of about 180,800 acre-ft/yr from 17 basins (LVVWD, written commun., 1992).

In 1991, several Department of the Interior (DOI) bureaus requested that the U.S. Geological Survey simulate possible effects of this pumping on regional flow, as well as on large regional springs, using a two-layer ground-water flow model originally designed to conceptualize regional flow in the carbonate-rock province. The simulations were made using a phased pumping schedule, with ultimate pumpage totaling 180,800 acre-ft/yr.

The simulation of pumping in the carbonate-rock province of the Great Basin indicates that water levels, the flow of regional springs, and ground-water discharge by evapotranspiration would be affected. The upper layer of the model generally represents basin fill and the intervening mountains. Simulated water levels in the basin fill are most strongly affected by localized pumping within the basin. The lower layer of the model, simulating the more extensively connected and confined carbonate-rock aquifer system, generates larger, areally more expansive declines. Several tens of years of pumpage can result in hundreds of feet of simulated water-level declines throughout a large area of the aquifer system.

By extending the pumping schedule for long periods of time, some estimate can be made of when the ground-water system will approach a new equilib-

rium. This equilibrium is reached when the change in water-level decline approaches zero, and pumpage is sustained entirely by water diverted from other sources, instead of by depletion of stored ground water.

The simulations also showed that discharge from several regional springs could decrease. Modeling indicated that, after about 100 years of simulation, flow from Muddy River springs; Hiko, Crystal, and Ash Springs; and Ash Meadows springs would all be affected to some degree. Discharge at Muddy River springs decreased the most, with a reduction of about 6 ft³/s (11 percent). Discharge from the Hiko-Crystal-Ash Springs complex decreased about 5 ft³/s (14 percent), and flow from Ash Meadows springs decreased about 0.5 ft³/s (2 percent).

The modeling also indicated that ground-water discharge by evapotranspiration would probably be affected by the pumpage proposed by LVVWD. The model indicates that the three valleys with the largest proposed pumpage will have the largest decrease in ET rates. In Spring Valley, which is scheduled to have 50,000 acre-ft/yr of ground water pumped, ET decreases about 45.21 cubic feet per second in the first 100 years of pumping (table 4). This is based on the normal estimated ET discharge of 70,000 acre-ft/yr (Rush and Kazmi, 1965, table 7). Railroad and Snake Valleys show similar patterns, with a decrease in ET discharge of 33.02 and 18.23 cubic feet per second, respectively, after about 100 years of pumping.

Irrespective of the obvious limitations of this model, the results of the simulation provide valuable insight regarding the regional-scale response to pumping and can serve as a basis for the development of a more detailed analysis of pumping effects.

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and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in Juab County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the Juab County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in Juab County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because They never let us know

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in Juab County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in Juab County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in Juab County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in Juab County.

11. As a resident and property owner in Juab County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 13 day of May, 2006.



Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a ~~resident and~~ property owner in Millard County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in ~~the~~ White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I was not the owner of this property when the hearings were heard, and I was in Salt Lake City at that time.

7. ~~I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the new hearing. Also, the 16-year delay - in general principle - requires reconsideration application and re-open the protest period is extremely unfair and unjust and my interests are because of new facts available & new studies to be done will provide material clearly prejudiced from my resulting inability to protest the groundwater applications.~~
I think that changes made in location & units of wells requires
relevant facts that need to be considered. I believe NWA is fair & is trying to do the best thing in an adverse natural climate.
As a resident and property owner in Millard County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a ~~resident~~ and property owner in millard County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a ~~resident~~ and property owner in millard County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in millard County. – *nor in the interest of Clark & Lincoln County – which would be better & more economically served by*

11. As a resident and property owner in millard County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest. *Desalination water projects*

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 17th day of May, 2006.

Clark W. Niles
Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice

or was given the opportunity to file a protest because I was notified by
Great Basin Water Network of Southern Nevada's Water
Authority intentions to deplete water resources in central
and Northern Nevada

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 23 day of May, 2006.



Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I am not on the list of water owners/users since I moved here in 1998.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

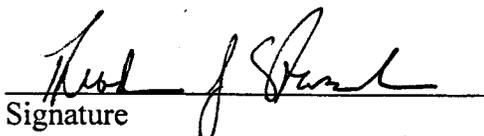
9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 18 day of May, 2006.


Signature

County commissioners and the entire Nevada
Congressional delegation has not the slightest qualm
about turning a magnificent area of their and
our own state into a wasteland. As if
our valleys are not scenically gorgeous, full
of life, full of tourist potential, and full of
hard working people. This beautiful area is an
asset ~~to~~ the State of Nevada. Why would
we want to take the huge risk of turning
this area into a desert valley? Where is a long term
voice in our government and leaders?

White Pine county is not a wasteland.

Don't Waste our future.

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in Lincoln County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the Lincoln County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in Lincoln County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because of the SNWA secretive

method of filing.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident ^{of Clark County} and property owner in Lincoln County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident ^{of Clark County} and property owner in Lincoln County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident ^{of Clark County} and property owner in Lincoln County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in Clark County.

11. As a resident ^{of Clark County} and property owner in Lincoln County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 17th day of May, 2006.

S. M. Edwards
Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in Juab County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the Lincoln & White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in Lincoln & White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because notification was limited in Utah and I never heard about the water applications.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in Juab County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in Juab County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in Juab County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in Juab County.

11. As a resident and property owner in Juab County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 16th day of May, 2006.

Kathryn A. Lill
Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in Juab County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications.

This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice

or was given the opportunity to file a protest because during the 1989 filings very little notification was made in Utah and communications here were less advanced than now. We were not made aware of the potential impacts - which are now increased by addition applications to remove water from regional aquifers

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in Juab County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in Juab County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in Juab County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in Juab County.

11. As a resident and property owner in Juab County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 12th day of May, 2006.

Kenneth F Hill
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

Scotty Heer

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I Scotty Heer hereby declare the following:

1. My full, legal name is Scotty Heer.
2. My current address is 222 Ski Trail, Mt. Charleston, NV 89124.
3. I am a citizen of the United States and resident of the State of

Nevada and Clark County. I have lived in the State of Nevada for 10 years and have resided in Clark County for 10 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because This area is a beautiful getaway from the urban areas and lowering the water table could very well have adverse affects on the environment, including the animals of the National Park, the vegetation, people that live in the area as well as businesses in the area.

5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the _____ County were filed over 16 years ago, on October 17, 1989,

EXHIBIT

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and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications.

This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I never received

notice.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine county.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 19th day of May, 2006.

Signature [Handwritten Signature]

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in Juab County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I live in Juab County in Utah. I believe SNWA has purposely kept things hidden as long as possible to try to steel water quietly from ranchers and families in both Nevada and Utah.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in Juab County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in Juab County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in Juab County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in Juab County.

11. As a resident and property owner in Juab County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 11th day of May, 2006.

Beth Anderson
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

SUSAN L. GEARY

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I SUSAN L. GEARY hereby declare the following:

1. My full, legal name is Susan Lynn Geary.

2. My current address is 164 So. Rock House Dr, Baker, NV 89311.

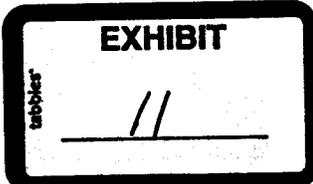
3. I am a citizen of the United States and resident of the State of

NEVADA and WHITE PINE County. I have lived in the State of

NEVADA for 10 years and have resided in WHITE PINE County for 10 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in WHITE PINE County because IT DIRECTLY AFFECTS MY WATER + LIFESTYLE.

5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the White Pine County were filed over 16 years ago, on October 17, 1989,



and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in WHITE PINE County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the WHITE PINE County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in WHITE PINE County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I NEVER RECEIVED NOTICE OF ANY FILING

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in WHITE PINE County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in WHITE PINE County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in WHITE PINE County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in WHITE PINE County.

11. As a resident and property owner in WHITE PINE County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 12th day of May, 2006.


Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

) Declaration of

) DONALD W. GEARY

) In Support of the Petition for
) Declaratory Order to Re-Notice
) Southern Nevada Water Authority's
) 16-Year-Old Groundwater
) Applications

I Donald W. Geary hereby declare the following:

1. My full, legal name is Donald W. Geary.

2. My current address is 164 So. Rock House Dr, Baker, NV 89311.

3. I am a citizen of the United States and resident of the State of

NEVADA and WHITE PINE County. I have lived in the State of

NEVADA for 5 years and have resided in WHITE PINE County for 10 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because directly affects water

to my property + LIFESTYLE

5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the White Pine County were filed over 16 years ago, on October 17, 1989.

EXHIBIT
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and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I have never received
notice of filing

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 13 day of May, 2006.


Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I didn't live here in 1990, I purchased my property in 2005. I wasn't notified before I purchased my property that the water was going to disappear.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in White pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White pine County.

11. As a resident and property owner in White pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 13th day of May, 2006.

Signature 

4. Unnecessary attempts to remove our local hydrological resources that local residents such as myself rely upon for our survival. I feel that there is more than enough local resources provided by the Colorado River water storage (Lake Mead & Lake Powell). These local resources have not been fully assessed and/or improved/updated to meet the growing water needs of the Southern water problem.

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I BRUCE & PAMELA JENSEN hereby declare the following:

1. My full, legal name is PAMELA GAYLE JENSEN
BRUCE ALLEN JENSEN
2. My current address is New 318 Sunnyside Ranch Box 53
Lind, NV. 89317
3. I am a citizen of the United States and resident of the State of

Nevada and Lind ^{of} Nye County. I have lived in the State of Nev. for 53 ₄₂ years and have resided in Nye County for 10 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in Nye, Lind ^{of} White Pine County because We run a 1000 head calf cow ranch, we own 1000 acres and have 400,000 BCM Allocation acres, we need the water for our business and we don't want Vegas getting this water.

5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the Nye, White Pine ^{of} Lind County were filed over 16 years ago, on October 17, 1989,



and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in Nye & Lincoln & W.P. County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the Said County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in Nye, Lincoln & White Pine County's and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because _____

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in Nye, Lincoln & White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

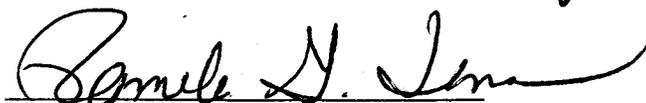
9. As a resident and property owner in NYE, Lincoln & White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in NYE, Lincoln & W.P. County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in NYE, Lincoln & W.P. County.

11. As a resident and property owner in NYE, Lincoln & W.P. Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 15 day of May, 2006.


Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

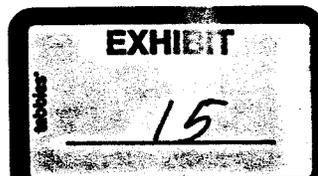
I _____ hereby declare the following:

- 1. My full, legal name is Renee A. Alder.
- 2. My current address is 4521 Mandan Ave. West Valley Cit. 89420
- 3. I am a citizen of the United States and resident of the State of

Utah and Salt Lake County. I have lived in the State of Utah for ~~77~~ 77 years and have resided in juab County for 23 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in Clark County because there is a great potential to destroy the quality of life for many many people.

5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the White Pine County were filed over 16 years ago, on October 17, 1989,



and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in Josh County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because there was not adequate notification provided to me and my neighbors in Josh Co.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in Josh County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in Just County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in Just County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in Just County.

11. As a resident and property owner in Just County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 15th day of May, 2006.

Ronnie W. Alden
Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in WHITE PINE County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the WHITE PINE County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in WHITE PINE County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I BOUGHT PROPERTY IN BAKER, NEVADA DURING 2002 LARGELY BECAUSE OF THE OPPORTUNITY TO BE IN A SUSTAINABLE RURAL COMMUNITY.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in WHITE PINE County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in WHITE PINE County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in WHITE PINE County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in WHITE PINE County.

11. As a resident and property owner in WHITE PINE County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 9th day of MAY, 2006.

Robert J. Nickerson
Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because it is a temporary solution that will not meet Las Vegas's long term needs.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a ~~resident and~~ property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

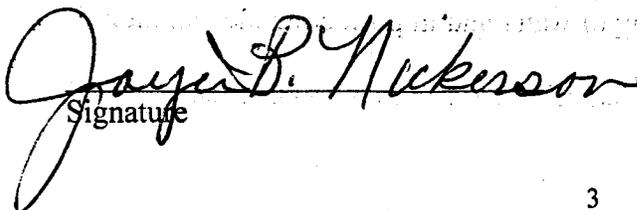
9. As a ~~resident and~~ property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a ~~resident and~~ property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a ~~resident and~~ property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 9 day of May, 2006.


Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in WT PINE County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the WT. PINE County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in WT. PINE County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I DID NOT OWN

PROPERTY IN WHITE PINE COUNTY 15 YEARS
AGO.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in WT PINE County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in WT. PINE County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

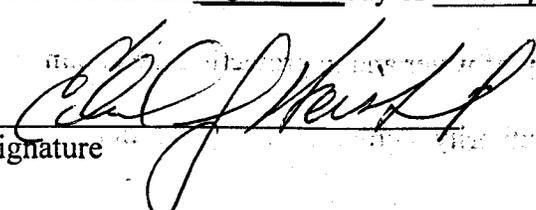
10. As a resident and property owner in WT PINE County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in WT PINE County.

11. As a resident and property owner in WT. PINE County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 5th day of MAY, 2006.

Signature

A handwritten signature in black ink, appearing to be "C. J. Smith", written over a horizontal line.

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

THE LONG NOW FOUNDATION

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I THE LONG NOW FOUNDATION hereby declare the following:

1. My full, legal name is THE LONG NOW FOUNDATION.

2. My current address is FORT WILSON, BLDG A, SF, CA 94123

3. I am a citizen of the United States and resident of the State of

CA and SAN FRAN. County. I have lived in the State of

CA for 33 years and have resided in SAN FRAN County for 33 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in WHITE PINE County because IT THREATENS THE NATURAL HABITAT, LANDSCAPE, AND WAY OF LIFE FOR THE ENVIRONMENT, AND INHABITANTS OF SPRING VALLEY WHERE THE FOUNDATION OWNS SEVERAL PROPERTIES.

5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the WHITE PINE County were filed over 16 years ago, on October 17, 1989.



and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in WHITE PINE County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the WHITE PINE County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in WHITE PINE County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because WE MADE LAND

PURCHASES IN 1999 & 2005 WHICH WAS
AFTER THE NOTICE'S WERE SENT
10 YEARS AGO.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a ~~resident~~ and property owner in WHITE PINE County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a ~~resident and~~ property owner in WHITE PINE County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a ~~resident and~~ property owner in WHITE PINE County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in WHITE PINE County.

11. As a resident and property owner in WHITE PINE County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 10 day of MAY, 2006.

Signature

ALEXANDER ROSE
CREC. DIRECTOR
3

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I WAS UNAWARE THAT SOUTHERN NEVADA WATER AUTHORITY EXISTED 16 YEARS AGO, LET ALONE FILED FOR GROUNDWATER APPLICATIONS.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 7th day of MAY, 2006.

Robert M. Brownick
Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in WHITE PINE County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the WHITE PINE County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in WHITE PINE County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I was not

living in white Pine Co. at the time.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

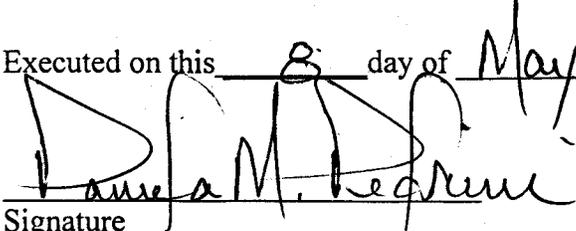
8. As a resident and property owner in WHITE PINE County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in WHITE PINE County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in WHITE PINE County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in WHITE PINE County.

11. As a resident and property owner in WHITE PINE County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 8 day of May, 2006.

Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I Rick Havenstrite hereby declare the following:

1. My full, legal name is RICHARD STEVEN HAVENSTRITE
2. My current address is 1290 HOLCOMB AVE - RENO NEV 89502
3. I am a citizen of the United States and resident of the State of

NEVADA and WASHOE County. I have lived in the State of

NEVADA for 34 years and have resided in WASHOE County for 8 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in WHITE PINE County because IT WILL AFFECT
+ LINCOLN

LONG TERM QUALITY OF LIFE

+ PROSPECTS FOR ECONOMIC

DEVELOPMENT OF THE AREA -

(WILL PUSH OUT MINING / POWER PLANTS

AGRICULTURE ETC. - DON'T SAY

IT WON'T)

EXHIBIT

22

5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in White Pine County after they were originally filed on October 17, 1989. Specifically, I protested application number 54014.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in _____ County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from A STRANGER - AFTER THE FACT

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications.

While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

I moved

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in _____ County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in _____ County, I also believe that the Southern Nevada Water Authority's groundwater applications in _____ County is not in the public interest – not in the interest of local citizens and property owners like myself who live in _____ County.

11. As a resident and property owner in _____ County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 10th day of May, 2006.



Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

TERRENCE P. MARASCO

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I TERRENCE P. MARASCO hereby declare the following:

1. My full, legal name is TERRENCE P. MARASCO.

2. My current address is 14 BAKER AVE, BAKER, NV 89311

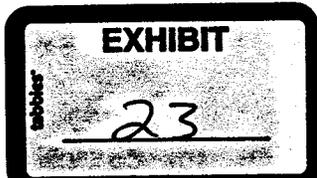
3. I am a citizen of the United States and resident of the State of NEVADA and White Pine County (WPC) County. I have lived in the State of

NEVADA for 1 1/2 years and have resided in WHITE PINE COUNTY County for 1 1/2 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in WHITE PINE County because

- 1. Negative Impacts on ~~the~~ Current Human Uses
- 2. Negative Impacts on Plants and Animals
- 3. Negative Impacts on My Business which is dependent on tourism, hunting, fishing
- 4. They have not allowed me to protest

5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the WPC County were filed over 16 years ago, on October 17, 1989,



and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in WPC County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the WPC County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications.

This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in WPC County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I Acquired

property her. in WPC after original
Applications were filed

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in WPC County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in WPC County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in WPC County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in WPC County.

11. As a resident and property owner in WPC County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 5 day of May, 2006.



Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I was 14 years old
when the applications were filed. As such I was not
actively following Nevada water applications.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 9th day of May, 2006.


Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I was not notified

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

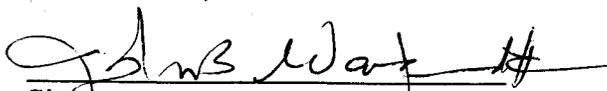
9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 5 day of MAY, 2006.


Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in WHITE PINE County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the WHITE PINE County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in WHITE PINE County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because _____

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in WHITE PINE County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

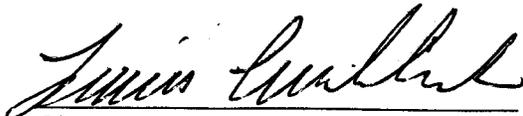
9. As a resident and property owner in WHITE PINE County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in WHITE PINE County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in WHITE PINE County.

11. As a resident and property owner in WHITE PINE County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 6th day of MAY, 2006.


Signature

5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in _____ County after they were originally filed on October 17, 1989. Specifically, I protested application number 54021.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from word of mouth and local newspaper.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

opponents were not wanted at the hearings-

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in White Pine County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications in _____ this County is not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 12 day of May, 2006.

M. Benson
Signature

5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in White Pine County after they were originally filed on October 17, 1989. Specifically, I protested application numbers 54018, 54019.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from Didn't hear about them until after the fact.

I travel alot for work and cant always follow this with the paper.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications.

While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

Clark County has the political / financial weight to sway anything. I understand the beneficial use concept but they do have other options on the Colorado w/ desalinization. This project is so unreasonable but I think Clark Co would let it go at this point because they dont want to start over on something else or just dont want to lose face.

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in White Pine County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications in White Pine County is not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 12th day of May, 2006.

Selena Weaver
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer. et al.,

Respondents.

Declaration of

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I Mary E Collins hereby declare the following:

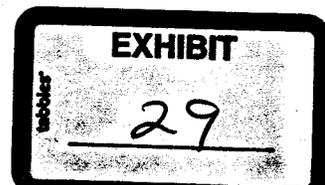
1. My full, legal name is Mary E Collins.
2. My current address is 6357^{1/2} West Ely, Nev.
3. I am a citizen of the United States and resident of the State of

Nevada and WP County. I have lived in the State of

Nevada for 62 years and have resided in WP County for 53 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in WP County because I believe we should

keep the water here. Our ranches and farmers need the water and my fear is they will deplete the under ground waters. It's not our fault. It is going so fast that they can't keep up. Take water from the dam there. It's closer.



5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in WP County after they were originally filed on October 17, 1989. Specifically, I protested application number 54017.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in WP County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from I don't think I ever heard.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

my address changed because of the new post office

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in WP County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in WP County, I also believe that the Southern Nevada Water Authority's groundwater applications in WP County is not in the public interest – not in the interest of local citizens and property owners like myself who live in WP County.

11. As a resident and property owner in WP County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 7th day of May, 2006.

May E Collins
Signature

5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in W.P. County after they were originally filed on October 17, 1989. Specifically, I protested application number 54011.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in W.P. County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from NEWSPAPER.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

VEGAS FEELS THEY ARE AUTHORITY OVER THE WHOLE
STATE AND CAN DO AND TAKE AS THEY PLEASE

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in W.P. County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in W.P. County, I also believe that the Southern Nevada Water Authority's groundwater applications in W.P. County is not in the public interest – not in the interest of local citizens and property owners like myself who live in W.P. County.

11. As a resident and property owner in W.P. County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 5TH day of MAY, 2006.

Candi Ashley
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

)
)
) Declaration of

) SALLY GUST

) In Support of the Petition for
) Declaratory Order to Re-Notice
) Southern Nevada Water Authority's
) 16-Year-Old Groundwater
) Applications

I SALLY GUST hereby declare the following:

1. My full, legal name is SALLY LEE GUST.

2. My current address is 711 S. 1ST.

3. I am a citizen of the United States and resident of the State of

NEVADA and WHITE PINE County. I have lived in the State of NEVADA for 55 years and have resided in WHITE PINE County for 48 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in WHITE PINE County because See Attachment



5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in White Pine County after they were originally filed on October 17, 1989. Specifically, I protested application number 54020.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from Jo Anne Garrett.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

Unknown

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in White Pine County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications in _____ White Pine County is not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 15th day of MAY, 2006.

Dally Lee Gust
Signature

The State of Nevada does not have adequate proof that by pumping the massive amounts of water that Las Vegas requires, from the aquifers, it will not devastate the area in White Pine County. The federal government has made wilderness areas that cannot be accessed by vehicles any longer in order to protect and preserve these areas. Why would the destruction of these areas be allowed. This pipeline would also destroy the wildlife that resides in White Pine County when these water tables drop and do not recharge at a fast enough rate.

Also, Las Vegas has not made one attempt to control their growth, in fact the opposite is happening. They are promoting, and planning for mega growth. This is called GREED. We need to protect our trees, wildlife, flowers, and streams. Las Vegas needs to find another answer for their water issues, since they are creating the problem. Why should Las Vegas be allowed to destroy the rest of the state. They are willing to suck the life out of this area, and then they will be moving on, your area could be next. BEWARE OF THEIR POWER.

Sally Gust

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

BRUCE ASHBY

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I Bruce Ashby hereby declare the following:

1. My full, legal name is Bruce Ross Ashby.
2. My current address is HC 33 Box 33470 Ely NV. 89301.
3. I am a citizen of the United States and resident of the State of

NV. and WHITE PINE County. I have lived in the State of NV. for 45 years and have resided in WHITE PINE County for 39 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in WHITE PINE County because FARMING, AND OF THE EFFECTS IT HAD ON THE OWENS VALLEY IN CALIF.



5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in _____ County after they were originally filed on October 17, 1989. Specifically, I protested application number 54013.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in _____ County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from _____.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in White Pine County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications in White Pine County is not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 5 day of May, 2006.

B. Akay
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,)

Petitioners,)

v.)

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,)

Respondents.)

Declaration of

DANIEL MAES

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I Daniel J. Maes hereby declare the following:

1. My full, legal name is DANIEL LEE MAES.

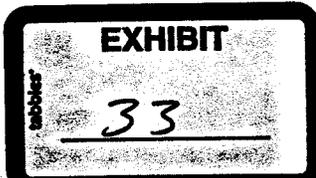
2. My current address is P.O. BOX 147 LUND NY.

3. I am a citizen of the United States and resident of the State of

NEVADA and NYE County. I have lived in the State of NEVADA for 40 years and have resided in NYE County for 6 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in W.P. NYE County because THE SPRINGS AND

PONDS THAT PROVIDE WILD LIFE & LIVESTOCK & FISHERIES WILL BE SEVERELY IMPACTED BY SUCH ACTION.



5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in WHITE PINE County after they were originally filed on October 17, 1989. Specifically, I protested application number 54021.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in NVE County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from NEWS PAPERS / GREAT BASIN WATER NET.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

THEY "SNWA" DON'T WANT PEOPLE
KNOW WHO

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

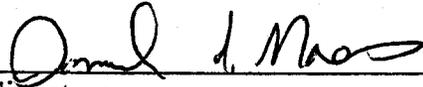
9. As a resident and property owner in NYR/W.P. County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in NYR/W.P. County, I also believe that the Southern Nevada Water Authority's groundwater applications in NYR/W.P. County is not in the public interest – not in the interest of local citizens and property owners like myself who live in NYR/W.P. County.

11. As a resident and property owner in NYR/W.P. County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 10th day of MAY, 2006.


Signature

5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in WHITE PINE County after they were originally filed on October 17, 1989. Specifically, I protested application number 54019.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in WHITE PINE County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from JO ANNE GARRETT.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

I'VE HAD NO CONTACT ON SUBJECT WATER
APPLICATION SINCE 1989.

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in WHITE PINE County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in WHITE PINE County, I also believe that the Southern Nevada Water Authority's groundwater applications in _____ WHITE PINE County is not in the public interest – not in the interest of local citizens and property owners like myself who live in WHITE PINE County.

11. As a resident and property owner in WHITE PINE County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 9th day of MAY, 2006.

Robert N. Marcus
Signature

5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in White Pine County after they were originally filed on October 17, 1989. Specifically, I protested application number 54026.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from _____.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications.

While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

SNWA is doing everything in its power to
move forward with the pipeline project even
if it means using unethical means.

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in White Pine County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications in White Pine County is not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 7th day of May, 2006.

Sara Foster
Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a ~~resident~~ and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I was not a landowner at time of original applications, but now am a landowner as of 2003 with local address of Dow Duff, Snake Creek Ranch, P.O. Box 32, Baker, NV 89311.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a ~~resident~~ and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a ~~resident~~ and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a ~~resident~~ and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a ~~resident~~ and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 19 day of May, 2006.

Donald A. Duff
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,

Petitioners,

v.

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,

Respondents.

Declaration of

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I Elizabeth Anne Douglas hereby declare the following:

1. My full, legal name is Elizabeth Anne Douglas.

2. My current address is 33 Nettie Ave.

3. I am a citizen of the United States and resident of the State of

NEVADA and White Pine County. I have lived in the State of NEVADA for 6 years and have resided in White Pine County for 6 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because I live here. Work here, and resent Las Vegas's flagrant over use and waste of water. America's lower class, and rapidly shrinking middle class seem to be losing their voice's. I pray I live to see them retake their rights, and fight back.

Drain the Pads, keep our creeks!

5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the White Pine County were filed over 16 years ago, on October 17, 1989.



and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I didn't realize our ground water was Available. I thought it was being put to beneficial use, and still do. Do we not live in a desert? Did not realize we had so much to spare, DA.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

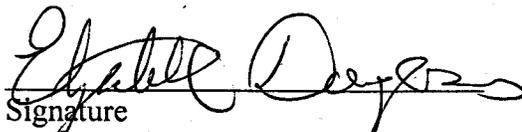
9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 17th day of May, 2006.


Signature

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in WHITE PINE County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the WHITE PINE County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in WHITE PINE County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because NONE WAS SENT

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in WHITE PINE County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in WHITE PINE County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in WHITE PINE County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in WHITE PINE County.

11. As a resident and property owner in WHITE PINE County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 30 day of MAY, 2006.

Benjamin Davis
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,)	
)	
Petitioners,	)	Declaration of
v.	)	Nomi Sheppard
)	
Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,	)	In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's
	)	16-Year-Old Groundwater
Respondents.	)	Applications
_____)	

I Nomi Sheppard, hereby declare the following:

1. My full, legal name is Nomi Martin-Sheppard
2. My current address is PO Box 150 Baker, NV 89311
3. I am a citizen of the United States and resident of the State of Nevada and White Pine County. I have lived in the State of Nevada for 6 years and have resided in White Pine County for 6 years.
4. I am concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because until a regional flow model is completed by the USGS to help us understand potential effects from pumping, I fear the drawdown of the water tables from overpumping will devastate human, animal and plant habitats. I believe the equipment required to build the pipelines (e.g. power lines, etc) will destroy the viewshed. I believe Southern Nevada should increase their efforts at conservation and try to meet or exceed the average household water use found in other desert cities in the west such as Tucson, Phoenix and Albuquerque. Finally, with water growing scarcer in the west it seems prudent to reserve groundwater in rural areas for people in Nevada during true catastrophic emergencies and not to fuel unfettered growth that cannot be sustained.



5. I recently learned that the Southern Nevada Water Authority's groundwater applications in White Pine County were filed over 16 years ago, on October 17, 1989, and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to have received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I was not living in the area then, and was not aware that it was happening. I have been coming to this area since I was 6 years old, have lived here on and off for 30 years and have come to make it my home. I always assumed this area would be here for me but now question if that reality still exists. I fear re-location to a similar area is not a true option since there are so few places in this country where such open space, silence & solitude exists.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 2nd day of June 2006.

Norm Martin Sheppard
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,)	
)	
Petitioners,	)	Declaration of
v.)	
	)	Great Basin Water Network
)	
Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,	)	In Support of the Petition for
	)	Declaratory Order to Re-Notice
	)	Southern Nevada Water Authority's
Respondents.	)	16-Year-Old Groundwater
_____	)	Applications

I, Nomi Sheppard, as co-founder of the Great Basin Water Network hereby declare the following:

1. The full, legal name is the Great Basin Water Network
2. The current address is 150 Home Farm Road Baker, NV 89311
3. I am a citizen of the United States and resident of the State of Nevada and White Pine

County. I have lived in the State of Nevada for 6 years and have resided in White Pine County for 6 years.

4. The Great Basin Water Network is concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because the core of its mission is to protect locally sustainable water use, natural resources and the public interest. We believe:

- The proposed groundwater development project does not promote equity in the use of water in both urban and rural areas.
- The proposed groundwater development project does not protect the public interest in Nevada's water or Utah's water.
- The proposed groundwater development project does not encourage sustainable development and quality of life for rural and urban Nevadans and Utahns.



- The proposed groundwater development project will not sustain the economies of rural counties in Nevada, Utah or Native American tribes dependent on water.
- The proposed groundwater development project will not support plant and animal species in the natural environment.

5. We recently learned that the Southern Nevada Water Authority's groundwater applications in White Pine County were filed over 16 years ago, on October 17, 1989, and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, and on behalf of affected Millard and Juab counties in Utah, I/We would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, the Great Basin Water Network has never been given an opportunity to protect our existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because the Great Basin Water Network never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. The Great Basin Water Network never received notice or was given the opportunity to file a protest because the Great Basin Water Network was not in existence then, and was not aware that it was happening. Initial plans for the groundwater development project were not available then, and the broad scope and magnitude of the project was not known.

7. We think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and

re-open the protest period is extremely unfair and unjust and our interests are clearly prejudiced from our resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County representing the Great Basin Water Network, and on behalf of affected Millard and Juab counties in Utah, we have a fundamental interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. The Great Basin Water Network has a right to be heard in a meaningful way.

9. As a resident and property owner in White Pine County, representing the Great Basin Water Network, and on behalf of affected Millard and Juab counties in Utah, we have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. The Great Basin Water Network believe this is the only way we can be given a full opportunity to be heard. We also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, representing the Great Basin Water Network, and on behalf of affected Millard and Juab counties in Utah, we also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners who live in White Pine County or neighboring Utah counties.

11. As a resident and property owner in White Pine County, representing the Great Basin Water Network, and on behalf of affected Millard and Juab counties in Utah, we know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full

participation from such individuals and organizations – from people who live and work in the affected community – The Great Basin Water Network believes the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. The Great Basin Water Network declares under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 2nd day of June 2006.

Nomi Martin-Sheppard

Nomi Martin-Sheppard
Founder
Secretary/Treasurer
Great Basin Water Network

this area makes preservation of the landscape and wildlife of prime importance to the public, and to our regional economy as well. I believe that wholesale water exportation for the purpose of promoting unmanaged municipal growth would be the end of this beautiful landscape, together with its remarkable diversity of finely adapted plants and animals.

6. As a concerned citizen, I filed a protest of SNWA's applications back in 1990, facilitated the filing of a record number of protests by other White Pine County citizens, and plan to participate at the upcoming hearings on these applications. In 1992, two other women and I formed the Coalition to Protect Rural Water, and promoted a Special Election in which White Pine voters approved a five-year special property tax to fund the Defense of White Pine County Water. Through ten subsequent years, I chaired the Citizens Advisory Committee on the Defense of White Pine County Water.

7. In the late 1990's I became actively involved in assisting our County Commissioners to resist partnering with private water entrepreneurs who promised to "help" the County deal with the Las Vegas applications, as the Southern Nevada Water Authority began to step up its plan for groundwater importation. This consisted of sustained political work on petitioning the recall of three officials, as well as promoting responsible candidates in the subsequent general election.

8. More recently, as the magnitude and accelerated pace of the SNWA pipeline project became evident, I helped found the Great Basin Water Network, comprised of statewide Nevada and Utah concerned citizens (since the targeted aquifer crosses the state line). I have also helped organize the local group, Snake & Spring Valley Citizens Alliance, comprised of active members from both Nevada and Utah.

9. For the past two years I have voluntarily worked forty to fifty hours per week in cooperation with opponents of the SNWA rural groundwater plan. Because of the large area involved, my road mileage has doubled. This level of participation seems necessary because few others have such lengthy experience with all the stages of the plan, and most others are otherwise employed. I attend all presentations by the US Geological Survey, conferences of the Nevada Water Resources Association, etc., in order to keep up on the scientific views of the plan. Following and promoting information exchange in the media is vital to an open process.
10. Early in 2006 I helped design and place ads in the local paper to notify people who were unaware that SNWA was quickly moving to gain control of the rural groundwater applied for sixteen years ago. It was the response to these ads that demonstrated to me the depth of outrage and despair that most citizens feel about the prospective export of Great Basin groundwater. I heard again and again deep misgivings about the money and power driving the plan, and about the well-designed media message that "it's a done deal." In short, people were eager to learn what action they might take in the face of feeling disenfranchised.

11.. In the course of these communications, I identified approximately twenty-six (26) individuals who protested SNWA's groundwater applications back in 1990 but never received notice of the upcoming hearings on such applications. These individuals include: (1) Keith M. Anderson, 775-289-2676, 32 Carson Court, Ely NV 89301; (2) Betty Nichols, 775-289-2590, E. Fifteenth, Ely NV 89301; (3) Kaye Kirkeby, 775-289-2827, 1234 High Street, Ely NV 89301; (4) Linda Zakula (Palezewski), 775-235-7704, P O Box 1267, McGill NV 89318; (5) Lyle Norcross, 775-289-8240, 6611 P O Box 441, Ely NV 89315; (6) Selena Forman, 858-603-9721, 11335 Vista Puesta, San Diego CA 92131; (7) Mark Schroeder, 775-289-3028, P O Box 414, Ruth NV 89319; (8) Mary Collins, 775-289-2836, P O Box 151913, Ely NV 89315; (9) Bruce Ashby, 775-289-4941, HC 33, Box 33420, Ely NV

89301; (9) Candy Tweedy, 775-289-4941, HC 33, Box 33420, Ely NV 89301; (10) Christine Hermanson, 775-289-2759, P O Box 151193, Ely NV, 89315; (11) Chuck Marquez, 775-289-4208, 203 Heritage Drive, Ely NV 89301; (12) Daniel Maes, 775-238-0528, P O Box 147, Lund NV 89317; (13) Dean & Janet Neubauer, 775-289-4804, P O Box 151645, Ely NV 89301; (14) Marietta Carson, 775-289-4070, 10 Carson Drive, Ely NV 89301; (15) Selena Weaver, 775-296-1234, 940 Marich Way, Ely NV 89301; (16) Rick Havenstrite, 775-322-4621, 1290 Holcomb Ave., Reno NV 89503 ; (17) Robert N. Marcum, 775-289-2767, P O Box 151432, Ely NV 89315; (18) Sally Gust, 775-289-1616 911 South First, Ely NV 89301; (19) Sarah Locke, 775-289-4757, P O Box 150, Ely NV 89305; (20) Steve Collard, 775-289-2141, 370 Stevens Ave., Ely NV 80301; (21) Tara (Cutler) Foster 775-289-2143, P O Box 403, Ruth NV 89319; (22) Walter Benson, 775-289-2511, P O Box 150713, Ely NV 89315; (23) White Pine County, 775-289-2306, 359 Parker Ave., Ely NV 89301; (24) Bob Nichols, 775-289-8112, 1793 E. Sixteenth, Ely NV 89301; (25) James R. Jordan, 702-435-8514, 5380 E. Flamingo #76, Las Vegas NV 89112; and (26) Marie L. Jordan, 702-435-8514, 5380 E. Flamingo #76, Las Vegas NV 89112.

12. As the above list demonstrates, the majority of individuals who failed to receive notice reside in Ely, Nevada. My inquiry at the Ely Post Office yielded the following information:

Until the late 1990's there were two separate U.S. Post offices in the Ely area, one of them being East Ely, NV 89315. In 1998 this office was closed and merged with the "downtown" Ely Post Office, 89301.

Thereafter, the large, "new" Ely Post Office was established in the newly developing southeast section of town. For a time, the "downtown" office continued to operate simultaneously. During this period, many longtime residents were given the option of street delivery, or a new P. O. Box number. When the "downtown" office finally closed in 1999, all services moved to the newly established Ely Post Office. P. O. Box holders were then assigned Zip Code 89315, and all others 89305. In the complexities of this multiple transition, I'm told by Post Office employees, systematic forwarding of mail became extremely difficult.

13. In course of this outreach, I also identified approximately forty-two (42) individuals who are "new" property owners and/or residents, i.e., people who purchased property or moved to the area within the last 16 years, or who were too young to participate back in 1989, and are now interested in protesting SNWA's applications. Because SNWA's applications were filed over 16 years ago, however, these individuals are being deprived of their right to file a protest and protect their existing rights. These individuals include: (1) Russell Groves, 208-352-9924, 283B Spring Cove Rd., Bliss ID 83314; (2) Bob Kranovich, 775-234-7117, P O Box 52, Baker NV 89311; (3) Terry Marasco, 775-234-7323, P O Box 69, Baker NV 89311; (4) Dave Kuiper, 775-234-7355, P O Box 95, Baker NV 89311; (5) John Woodyard, 775-234-7154, P O Box, Baker NV 89311; (6) Buck & L. Douglas, 775-234-7286, P O Box 72, Baker NV 89311; (7) Don & Susan Geary, 775-234-7167, P O Box 12, Baker NV 89311; (8) Pam Pedrini, 775-234-7305, P O Box 6, Baker NV 89311; (9) Stephen Wolpin, 805-525-4785, P O Box 448, Santa Paula CA 93061; Ed Weisbrot, 720-260-6712, P O Box 71, Baker NV 89311; (11) Abigail C. Johnson, 775-234-7124, P O Box 183, Baker NV 89311; (12) The Long Now Foundation, 415-561-6582, Ft. Mason Center, Bldg. 1, San Francisco CA 94123; (13) Jeff Woodruff & Adrienne Joy, 775-234-7121, P O Box 136, Baker NV 89311; (14) Tom Thrasher, 775-289-4725, P O Box 15188, Ely NV 89311; (15) Laurie Cruikshank, 775-234-7205, P O Box 123, Baker NV 89311; (16) Don Foss, J. Deneris, 707-887-0822, P O Box 309, Forestville CA 95436; (17) Ben & Brandi Roberts 775-234-7145 P O Box 3, Baker NV 89311; (18) Don Duff, 801-201-1008, P O Box 23, Baker NV 89311; (19) John & H. Yacapraro, 775-234-7259, P O Box 109, Baker NV 89311; (20) Bruce & Pamela Jensen 775-238-0550, P O Box 213, Lund NV 89317; (21) Richard Barber, 775-377-1337, P O Box 1872, Round Mountain NV 8904; (22) Duff Smith, 435-632-

2325, P O Box 1, Hurricane UT 84737; (23) Terri Feasel, 775-754-6721, P O Box 876, Carlin NV 89822; (24) Ken Hill, 435-693-3120, 550 Trout Creek, Rd., Via Wendover UT 84083; (25) Don & Beth Anderson, 435-693-3136, HC 61, 291 Pony Express Rd., Callao UT 84083; (26) Miles Clark, 801-521-3389, 2972 W. Appleton Drive, West Valley City UT 84119; (27) Gary & Joanne Perea, 775-234-7356, P O Box 184, Baker NV 89311; (28) Justice Gish, 435-693-3247, 555 Pony Express Rd, Trout Creek UT 84083; (29) S. Mahlon Edwards, P O Box 1375, Logandale UT 89021; (30) Guy Gonder, 435-855-2351, P O Box 100, Garrison, UT 84728; (31) Ed Alder, 435-693-3124 , P O Box 430, Pony Express Rd., Trout Creek UT 84083; (32) Renee Alder, 801-969-2032, 4821 Mandan Ave., West Valley City UT 84120; (33) Deana Alder, 435-693-3124, P O Box 430, Trout Creek UT 84083; (34) Scott Herr, 702-370-9300, P O Box 113, Baker NV 89311; (35) Pat & Kristi Fillman, 775-234-7109, HC 64, Box 64500, Ely NV 89311; (36) Theodore Stazeski, 775-234-7101, P O Box 61, Baker NV 89311; (37) Robert & Joyce Nickernson, 928-768-7481, 1915 Joy Lane, Ft. Mojave AZ 8642 ; (38) Raymond Timm 775-234-7205, P O Box 111, Baker NV 89311; (39) Rob & Susan Ewing, 775-234-7136, P O Box 75, Baker NV 89311; (40) Bryan & Jenny Hamilton, 775-234-7372, P O Box 55, Baker NV 89311; (41) David Sharp, 775-234-7278; Baker NV 89311; and (42) Robert & Kathleen Hayden. 775-234-7359, Baker, NV 89311.

14. I was also contacted by five (5) individuals who inherited property from their parents and/or relatives over the last 16 years. These individuals are also being shut out of the adjudication process and are now unable to protect and defend their interests. These individuals include: (1) Tandora L. Wilson, 303-238-6250, 18 S. Chase Dr., Lakewood, CO 8022; (2) Parker & C. Damon, 760-366-8222, P.O. Box 2201, Joshua Tree, CA 92252; (3) Deborah Torvinen,

775-787-3184, 4089 Royal Sage Dr., Reno, NV 89503; (4) Jim Rasmussen, 928-425-7926, 1081 E. Montecito, Globe, AZ 85501; and (5) Anna Marie Heckethorn, 775-289-8384, HC 33, Box 3340, Ely, NV 89301. Ms. Heckethorn's deceased husband, Gene, actually protested SNWA's application # 54026.

15. As a result of my inquiries, I also spoke with a number of individuals who filed protests, received notice of the hearings on SNWA's applications but, given the over 16-year delay, were entirely confused by the whole process. These individuals include: (1) Bath Lumber Co., 775-289-3083, 1800 Ave. G, Ely NV 89301; (2) James & Donna Bath 775-289-4624, 570 First St., Ely NV 89301; (3) Sportsworld, 775-289-8886, 189 W. Aultman Street, Ely NV 89301; (4) Kristine P. Kaiser, 775-234-7109, HC 64, Box 64500, Ely NV 89301; (5) Lloyd F. Westphal, 775-234-7219, P O Box 21, Baker NV 89311; (6) Patricia A. Peterson, 775-234-7219, P O Box 21, Baker NV 89311; (7) David Eldridge, 775-234-7242, P O Box 46, Baker NV 89311; (8) Carolyn Lehnig, 775-234-7205, P O Box 111, Baker NV 89311; and (9) the Snake Valley Volunteer Fire Dept., 775-234-7108, P O Box 101, Baker NV 89311.

16. I learned that several of these individuals had, during the past year, been focused on and participating in the Bureau of Land Management's EIS process for the Southern Nevada Water Authority, and mistakenly took the State Engineer's notification as a function of the EIS proceedings and put it aside. Others were discouraged from responding for financial reasons: the notice seemed to imply that the services of an attorney were required, and that participants would incur unspecified costs in connection with recording the hearings.

17. In view of these various circumstances that would seem to effectively prevent further legal participation of a significant portion of the population contesting the Southern Nevada Water Authority's groundwater applications in White Pine County, I feel that the State

Engineer's subsequent refusal to re-notice the applications and re-open the protest period is extremely unfair and unjust.

18. All residents, interested persons, and/or property owners in the Snake and Spring Valleys have a fundamental interest in protecting their personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. These individuals have a right to be heard in a meaningful way.

19. All residents, interested persons, and/or property owners have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. Anything less would be entirely unfair.

20. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like me who live in the region.

21. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware and/or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications nor guard the public interest.

22.. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that to the best of my knowledge the foregoing is true and correct.

Executed on this 28th day of June, 2006.


Signature
Jo Anne Garrett

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

Great Basin Water Network, a nonprofit organization, et al.,)	
)	
Petitioners,	)	Declaration of
v.	)	NOAH MATSON, on behalf of
	)	Defenders of Wildlife
)	
Tracy Taylor, in his official capacity as the Nevada State Engineer, et al.,	)	In Support of the Petition for
	)	Declaratory Order to Re-Notice
	)	Southern Nevada Water Authority's
Respondents.	)	16 Year Old Groundwater
	)	Applications

I Noah Matson hereby declare the following:

1. My full, legal name is Noah Paul Matson. I am submitting this declaration in my professional capacity, on behalf of Defenders of Wildlife.
2. My current address is 318 Lincoln Ave, Takoma Park, MD. My work address with Defenders of Wildlife is 1130 Seventeenth Street, N.W., Washington, D.C.
3. I am a citizen of the United States and resident of the State of Maryland and Montgomery County. I have lived in the State of Maryland for seven years and have resided in Montgomery County for seven years.
4. The facts and opinions set forth in this declaration are based on my personal knowledge. If called as a witness in these proceedings, I could and would testify competently to these facts and opinions.
5. I hold a Masters of Environmental Management, with a concentration in conservation biology and policy, from the Yale School of Forestry and Environmental Studies, New Haven, Connecticut. My thesis research involved both biological and policy analysis of the National Elk Refuge, Wyoming and the National Wildlife Refuge System.



6. I am the Director of Defenders of Wildlife's Federal Lands Program. In that capacity, I have worked extensively on issues pertaining to National Wildlife Refuges and other federal public lands including National Forests, National Parks, and Bureau of Land Management and Department of Defense lands for the past seven years.

7. Defenders of Wildlife is a national, not-for-profit charitable organization under section 501 (c)(3) of the Internal Revenue tax code. Defenders' mission is the protection of all native wild animals and plants in their natural communities. Defenders has over 470,000 paying members nationwide, including 3,100 in the state of Nevada. Defenders' members are very interested in wildlife protection and wildlife observation, and many travel to national wildlife refuges and other federal lands to enjoy viewing and photographing animals and their habitats. Defenders also has one paid staff member in Nevada.

8. Defenders of Wildlife has been substantively involved in individual National Wildlife Refuge issues as well as National Wildlife Refuge System policy for decades. In 1992 Defenders brought suit against the U.S. Fish and Wildlife Service ("FWS") over incompatible uses at Ruby Lake National Wildlife Refuge in Washington. The suit was later combined with a suit brought by the National Audubon Society, both concerning compatible uses of National Wildlife Refuges. As a result of the suit, the FWS was required to reexamine and conduct compatibility determinations for thousands of uses throughout the Refuge System.

9. During the same time both the General Accounting Office (GAO)¹ and the FWS² conducted independent analyses of secondary uses of National Wildlife Refuges. Both reports found incompatible uses throughout the Refuge System.

¹ General Accounting Office, 1989. National Wildlife Refuges, Continuing Problems with Incompatible Uses Call for Bold Action. GAO/RCED-89-196.

² U.S. Fish and Wildlife Service, 1990. Secondary Uses Occurring on National Wildlife Refuges.

10. In response to these recognized problems facing National Wildlife Refuges, in 1991 Defenders of Wildlife convened an independent Commission on New Directions for the National Wildlife Refuge System. The Commission published a report, *Putting Wildlife First, Recommendations for Reforming Our Troubled Refuge System*, which concluded that secondary uses of National Wildlife Refuges were seriously threatening the Refuge System. The Commission, and the report, recommended organic legislation to rectify the problems facing the Refuge System, including incompatible uses.

11. Defenders of Wildlife worked for close to a decade for passage of "organic" legislation for the Refuge System. This legislation, the National Wildlife Refuge System Improvement Act ("Refuge Act"), passed in 1997.

12. I have been actively involved in all national policy guidance issued by the FWS since passage of the Refuge Act including the draft and final Refuge Planning Policy, the draft and final Refuge Compatibility Regulations and Policy, and the draft and final Policy on Maintaining the Biological Integrity, Diversity, and Environmental Health of the Refuge System, the draft Mission, Goals, and Purposes Policy, the draft Wilderness Stewardship Policy, the draft Appropriate Uses Policy, and the General Recreational Uses Policy.

13. In 2004, I began researching and becoming involved in the Southern Nevada Water Authority's ("SNWA") plans to develop groundwater in and around national wildlife refuges and other public lands in Nevada. Of primary concern at the time was SNWA's proposal to develop several groundwater wells on Desert National Wildlife Refuge, the largest national wildlife refuge in the contiguous United States. The U.S. Fish and Wildlife Service (FWS) and SNWA had been negotiating an agreement to allow groundwater development on the refuge. Through these negotiations, it became clear that outright municipal development of groundwater

on the refuge was incompatible with national wildlife refuge law, and SNWA began characterizing the wells as “monitoring” wells.

14. As I and other Defenders’ staff members have conducted additional research into SNWA’s groundwater plans throughout the state of Nevada, we have grown increasingly concerned with their potential effects on not only the Desert National Wildlife Refuge, but the other Wildlife Refuges comprising the greater Desert National Wildlife Refuge Complex, including the Ash Meadows, Pahrangat, and Moapa Valley National Wildlife Refuges. The isolated surface waters (primarily comprised of springs, seeps, wetlands, and other desert “oases”) found within these Refuges—as well as other public and private lands within Nevada—support an incredible diversity of rare and endangered species, many of which exist nowhere else in the world. Many of these species, including the Moapa dace, Southwestern willow flycatcher, Ash Meadows Amargosa pupfish, Ash Meadows speckled dace, Virgin River chub, White River spinedace, and the Pahrump poolfish, could be adversely affected if SNWA’s proposed groundwater pumping affects the isolated surface waters and other riparian areas they depend upon for their continued existence.

15. Defenders is also concerned with the impact SNWA’s groundwater pumping plans, and the development of production wells, pipelines, pumping stations, water treatment facilities, power lines, and support facilities (known collectively as the *Clark, Lincoln and White Pine Counties Groundwater Development Project*) will have on other public lands and imperiled species throughout the state of Nevada, including the Great Basin National Park, and lands administered by the BLM and Forest Service.

16. On March 7-8, 2005 I traveled to Nevada and visited the Desert National Wildlife Refuge and the Ash Meadows National Wildlife Refuge and met with FWS staff to discuss

issues facing the refuge and its biological resources. I spent full days on both refuges and enjoyed them both personally and professionally. I intend to travel to Nevada's refuges and other public lands both personally and professionally in the future in enjoy their unique wildlife and landscapes.

17. As an organization committed both to the preservation of all native plants and wildlife, and the integrity of the National Wildlife Refuge and overall public lands system, Defenders of Wildlife would have liked to receive notice of, as well as the opportunity to comment—and if necessary, protest—the Southern Nevada Water Authority's groundwater applications in Clark, Lincoln, and White Pine counties, and participate in any scheduled hearings on such applications as a means of protecting the organization's existing interests.

18. The extreme delay between the filing of SNWA's applications in 1989, and the hearings to be finally conducted this fall, however, demonstrate the need to allow new opportunity for public participation in any event. From the perspective of Defenders of Wildlife, our organizational depth and priorities have greatly broadened in the intervening seventeen years. Whereas in the past, Defenders focused largely on the conservation of large predator mammalian species, as the significance of the global extinction crisis has become more apparent, we have greatly expanded our efforts to also place emphasis on protecting and conserving less-well known but equally vital species. These species—including spring-dwelling fish, aquatic invertebrates, and rare plants—are precisely the type most threatened by SNWA's plans. Defenders of Wildlife's interests have greatly changed and evolved since 1989, and we strongly feel that we should have an opportunity to address and protect those interests in relation to the SNWA applications.

19. In sum, on behalf of Defenders of Wildlife, I believe that SNWA's and the State Engineer's 17 year delay in adjudicating SNWA's groundwater applications and apparent refusal to re-notice the application and re-open the protest period is unfair, contrary to fundamental principles of due process, against the public interest, and prejudicial to Defenders of Wildlife's interest, as well as the interests of the more than 3,000 members Defenders represents in Nevada.

20. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 29 day of June, 2006.

Noah Matson

Noah Matson
Federal Lands Director
Defenders of Wildlife
1130 Seventeenth Street, N.W.
Washington, D.C.
(202) 682-9400

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

Great Basin Water Network, a nonprofit organization, et al.,)	
)	
	)	Declaration of
Petitioners,)	
v.	)	<u>Veronica F. Douglass</u>
Tracy Taylor)	
Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,	)	In Support of the Petition for
	)	Declaratory Order to Re-Notice
	)	Southern Nevada Water Authority's
Respondents.	)	16-Year-Old Groundwater
	)	Applications

I Veronica F. Douglass hereby declare the following:

1. My full, legal name is Veronica Faith Douglass.
2. My current address is HC61 Box 380, Wendover, Utah 84083.
3. I am a citizen of the United States and resident of the State of Utah and Juab County. I have lived in the State of Utah for 47 years and have resided in Juab County for 33 years.
4. I am concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because as a land owner in Snake Valley, (UT/NV) the SNWA project for groundwater pumping could affect and threaten our existing use of water from wells and streamflow to place at risk our continued survival, and livelihood on our ranch as well as affect future ranching operations of my children and grandchildren.
5. I recently learned that the Southern Nevada Water Authority's groundwater applications in the White Pine County were filed over 16 years ago, on October 17, 1989,



and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in Juab County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because I was not informed by the Nevada State Engineer of these applications as they might possibly affect the Snake Valley Aquifer System tied to White Pine, Juab, and Millard Counties (UT) from which our water originates from and would be impacted by any groundwater pumping by the SNWA.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in Juab County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in Juab County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in Juab County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in Juab County. Utah in Snake Valley, (UT/NV).

11. As a resident and property owner in Juab County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 26 day of June, 2006.

Veronica F. Douglass
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,)	
)	
Petitioners,	)	Declaration of
v.	)	Abigail C. Johnson
)	
Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,	)	In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's
	)	16-Year-Old Groundwater
Respondents.	)	Applications
_____)	

I Abigail C. Johnson hereby declare the following:

1. My full, legal name is Abigail Chase Johnson.
2. My current address is 612 West Telegraph Street, Carson City, Nevada 89703 and in White Pine County: 425 Winnemucca Street, P.O. Box 183, Baker, Nevada 89311.
3. I am a citizen of the United States and resident of the State of Nevada. and Carson City County. I have lived in the State of Nevada for 26 years and have resided in Carson City County for 26 years. I am also a property owner and part time resident in Baker, White Pine County, Nevada, where I have owned property since 2003, and where I have owned a home since November, 2004.
4. I am concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because I believe that the exportation of water from the Snake Valley will permanently damage the community, economy, environment, and future of one of the state's most spectacular rural areas. The water exportation project is a temporary solution for the Southern Nevada Water Authority's perceived need for additional water, but it is a death sentence to the Snake Valley and an encroachment on my property rights.



5. When Southern Nevada Water Authority's groundwater applications in the White Pine County were filed over 16 years ago, on October 17, 1989, I protested Application # 54006 in Spring Valley, White Pine County, in order to register my opposition to the applications.

6. Now, as a part time resident and property owner in Baker, White Pine County, I would like the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the Snake Valley, White Pine County, and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications. On November 30, 2005, I wrote to the State Engineer to request the reopening of the protest period. I explained how my circumstances have changed in the past 16 years, that I am now a property owner and part time resident of Baker, Snake Valley, White Pine County, Nevada. I requested that he establish a process to address the concerns of persons whose status has changed, and of persons who are now affected, but were not 16 years ago. I asserted that since the State will allow evidence in the hearings that has been developed in the past 16 years, he should permit the current affected population to protest. I received a written response dated December 8, 2005, from the State Engineer rejecting my request.

8. As a part time resident and full time property owner in Baker, Nevada, I have a fundamental interest in protecting my personal water supply and the community's supply of water from the effects of the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in Baker, Snake Valley, White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself in White Pine County.

11. As a part time resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 5th day of June, 2006.


Signature

5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in White Pine County after they were originally filed on October 17, 1989. Specifically, I protested application number 54022.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in Clark County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from To Anne Garrett.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

they were in too much of a hurry.

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a resident and property owner in Clark White Pine County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in Clark County, I also believe that the Southern Nevada Water Authority's groundwater applications in White Pine County is not in the public interest – not in the interest of local citizens and property owners like myself who live in Clark County.

11. As a resident and property owner in Clark County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 06 day of June, 2006.

Marie L. Jordan
Signature

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

Great Basin Water Network, a nonprofit organization, et al.,)

Petitioners,)

v.)

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,)

Respondents.)

Declaration of

JAMES JORDAN

In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16-Year-Old Groundwater Applications

I JAMES R. JORDAN hereby declare the following:

1. My full, legal name is JAMES R. JORDAN.
2. My current address is 5380 E. FLAMINGO RD. #76 LAS VEGAS NV 89122
3. I am a citizen of the United States and resident of the State of

NEVADA and CLARK County. I have lived in the State of NEVADA for 58 years and have resided in WHITE PINE County for 53 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in WHITE PINE County because IT WILL HAVE A NEGATIVE IMPACT ON THE ENVIRONMENT.



5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in _____ County after they were originally filed on October 17, 1989. Specifically, I protested application number 54026.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in CLARK County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from JO ANNE GARRETT.

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

PROPER PROCEDURES WERE NOT FOLLOWED &
MISTAKES WERE MADE.

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

9. As a ~~FORMER~~ resident and property owner in WHITE PINE County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in CLARK County, I also believe that the Southern Nevada Water Authority's groundwater applications in WHITE PINE County is not in the public interest – not in the interest of local citizens and property owners like myself who live in CLARK County.

11. As a resident and property owner in CLARK County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 6th day of JUNE, 2006.


Signature

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

Great Basin Water Network, a nonprofit organization, et al.,)

Petitioners,)

v.)

Hugh Ricci, in his official capacity as the Nevada State Engineer, et al.,)

Respondents.)

Declaration of

RUTHERFORD DAY
SOBCAT Properties, Inc.

In Support of the Petition for
Declaratory Order to Re-Notice
Southern Nevada Water Authority's
16-Year-Old Groundwater
Applications

I RUTHERFORD DAY hereby declare the following:

1. My full, legal name is RUTHERFORD DAY.

2. My current address is S.R HCR 10, Box 15, Pioche, NV 89043

3. I am a citizen of the United States and resident of the State of

NEVADA and LINCOLN County. I have lived in the State of

NEVADA for 12 years and have resided in LINCOLN County for 12 years.

4. I am concerned about the Southern Nevada Water Authority's groundwater applications in LINCOLN County because IT IS

CONSUMED FOR PERSONAL AND BUSINESSES; SOBCAT Properties, Inc. (A NEVADA CORPORATION) PO Box 15646 Las Vegas NV 89114-5646



5. In furtherance of these concerns, I filed a protest on Southern Nevada Water Authority's groundwater applications in LINCOLN County after they were originally filed on October 17, 1989. Specifically, I protested application number 54003-05.

6. I recently learned that the State Engineer's office already held a pre-hearing conference on these applications in January, 2006 and that the State Engineer is planning on holding hearings on these applications in the near future. As a resident and property owner in LINCOLN County, and an original protestant, I would very much have liked to receive notice of the pre-hearing conference and the upcoming hearings. Instead, I heard about the hearings from GREAT BASIN WATER NETWORK

7. Having not been given notice of the January, 2006 pre-hearing conference or of the upcoming hearings, I am being deprived of the opportunity to fully protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications.

While I am unsure as to the precise reason I did not receive notice, I imagine it is because:

NEGLECT

8. I believe that the State Engineer's failure to provide notice of the January, 2006 pre-hearing conference on the applications and notice of the upcoming hearings to those of us, like myself, who filed a protest is unfair and unjust. I also think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and

its subsequent failure to re-notice the applications and re-open the protest period is extremely unfair and unjust.

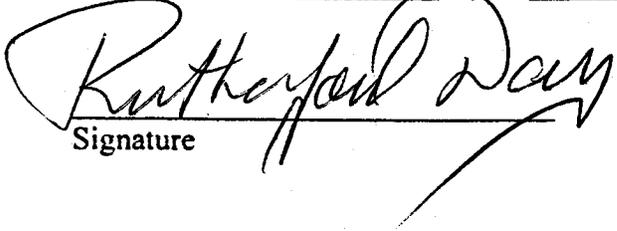
9. As a resident and property owner in Lincoln County and an original protestant, I have a fundamental interest in protecting my own personal supply of water and an interest in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way and a right to participate fully in any hearings on the Southern Nevada Water Authority's applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair and would clearly prejudice my interests in the groundwater subject to the pending applications.

10. As a resident and property owner in Lincoln County, I also believe that the Southern Nevada Water Authority's groundwater applications in Lincoln County is not in the public interest – not in the interest of local citizens and property owners like myself who live in Lincoln County.

11. As a resident and property owner in Lincoln County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well-informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 6th day of June, 2006.


Signature

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

Great Basin Water Network, a nonprofit organization, et al.,)	
)	
	)	Declaration of
Petitioners,)	
v.	)	Great Basin Chapter, TU
)	
Tracy Taylor, in his official capacity as the Nevada State Engineer, et al.,	)	In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16 Year Old Groundwater Applications
)	
Respondents.)	
_____)	

I, Don Duff, in my official capacity as President of the Great Basin Chapter of Trout Unlimited, Baker, Nevada hereby declare the following:

1. My full, legal name is Donald A. Duff .
2. My current address is 421 E. 10th Ave., Salt Lake City, UT 84103, and as a landowner in Snake Valley, White Pine County, Baker, NV 89311, have a Chapter and personal mailing address of P.O. Box 32, Baker, NV 89311.
3. I am a citizen of the United States and resident of the State of Utah and Salt Lake County.
4. I am the acting President of the Great Basin Chapter of Trout Unlimited (hereinafter "Great Basin Chapter of TU").
5. TU is a membership organization whose committed mission is to conserve, protect, and restore North America's coldwater fisheries and their watersheds.
6. The Great Basin Chapter of TU is specifically focused on the recovery of native fisheries in the west desert of Utah and eastern Nevada and the restoration and protection of aquatic-riparian habitats in these watersheds.



7. The Great Basin Chapter of TU has approximately 30 members in this region covered by the Chapter in White Pine County, Nevada and portions of Millard, Juab, and Tooele Counties, Utah..

8. The Great Basin Chapter of TU is concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because of the potential threat groundwater pumping might have on either reduction of or loss of perennial stream and springs flows in Spring and Snake Valley's thereby placing at risk of either extinction and/or reduction of native aquatic and fishery endangered, threatened, sensitive species or species of special concern, and the loss and/or reduction in fisheries related recreational and economic values to residents and communities in the area to be impacted, as well as to Chapter members who utilize these natural resources for their beneficial uses.

9. As an organization of Trout Unlimited committed to the recovery of native fisheries in the west desert of Utah and eastern Nevada and the restoration and protection of aquatic-riparian habitats in these watersheds, the Great Basin Chapter of TU would have liked to receive notice of, and the opportunity to protest, the Southern Nevada Water Authority's groundwater applications in the White Pine County and participate in any scheduled hearings on such applications as a means of protecting the organization's existing interests.

10. To date, the Great Basin Chapter of TU has never been given an opportunity to protect its rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because the Great Basin Chapter of TU never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. The Great Basin Chapter of TU never received notice or was given the

opportunity to file a protest because at the time of the filings the Great Basin Chapter of TU had not been formed as a Chapter of Trout Unlimited to organize anglers and concerned citizens as volunteers to work on the conservation and protection of our Great Basin native coldwater resources and their watersheds in eastern Nevada and western Utah.

11. The Great Basin Chapter of TU believes that the State Engineer's 16 plus year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and prejudices the organization's interests in protecting the region's precious groundwater resources and the fish and wildlife that depend on them.

12. As an organization committed to the recovery of native fisheries in the west desert of Utah and eastern Nevada and the restoration and protection of aquatic-riparian habitats in these watersheds, the Great Basin Chapter of TU has a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way the Great Basin Chapter of TU can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

13. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 28th day of June, 2006.



Don Duff, as President of Great Basin Chapter of TU

and that the State Engineer's office is planning on holding hearings on these applications in the near future. As a resident and property owner in White Pine County, I would very much have liked to received notice of and the opportunity to protest the Southern Nevada Water Authority's groundwater applications in the White Pine County and to participate in any scheduled hearings on such applications as a means of protecting my existing rights and interests.

6. To date, I have never been given an opportunity to protect my existing rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications.

This is because I never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. I never received notice or was given the opportunity to file a protest because the list may not have included residents to Nevada since the filing in 1989.

7. I think the State Engineer's 16-plus-year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and my interests are clearly prejudiced from my resulting inability to protest the groundwater applications.

8. As a resident and property owner in White Pine County I have a fundamental interest in protecting my own personal supply of water and in protecting the community's supply of water from the Southern Nevada Water Authority's groundwater applications. I have a right to be heard in a meaningful way.

9. As a resident and property owner in White Pine County, I have a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way I can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

10. As a resident and property owner in White Pine County, I also believe that the Southern Nevada Water Authority's groundwater applications are not in the public interest – not in the interest of local citizens and property owners like myself who live in White Pine County.

11. As a resident and property owner in White Pine County, I also know a number of people in the community who are unaware of, or confused by, the State Engineers' adjudication process and decision to hold hearings on groundwater applications filed over 16 years ago. These local residents would benefit greatly from the State Engineer's re-noticing of the groundwater applications and, if given the opportunity, would provide invaluable comments and testimony to the State Engineer. Without full participation from such individuals – from people who live and work in the affected community – I believe the State Engineer cannot make a well informed decision regarding the applications or guard the public interest.

12. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 5th day of May, 2006.



Signature

Wilda Karen Garber
P O Box 57 Baker NV 89311
White Pine County

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

Great Basin Water Network, a nonprofit organization, et al.,)	
)	
	)	Declaration of
Petitioners,)	
v.	)	Utah Council, TU
)	
Tracy Taylor, in his official capacity as the Nevada State Engineer, et al.,	)	In Support of the Petition for Declaratory Order to Re-Notice Southern Nevada Water Authority's 16 Year Old Groundwater Applications
)	
Respondents.)	
_____)	

I, Paul Dremann, in my official capacity as Vice President of Conservation for the Utah Council of Trout Unlimited, hereby declare the following:

1. My full, legal name is Paul F. Dremann
2. My current address is 2348 Lynwood Drive, Salt Lake City, UT 84109
3. I am a citizen of the United States and resident of the State of Utah and Salt Lake County.
4. I am the acting Vice President of Conservation for the Utah Council of Trout Unlimited (hereinafter "Utah Council of TU").
5. TU is a membership organization whose committed mission is to conserve, protect, and restore North America's coldwater fisheries and their watersheds.
6. The Utah Council of TU is specifically focused on the conservation, protection, and restoration of Utah's coldwater fisheries and their watersheds.
7. The Utah Council of TU has approximately 1,900 members in the region.
8. The Utah Council of TU is concerned about the Southern Nevada Water Authority's groundwater applications in White Pine County because of the potential threat groundwater



pumping might have on either reduction of or loss of perennial stream and springs flows in Snake Valley and Deep Creek Valley, both occupying lands in Utah and Nevada, thereby placing at risk of either extinction and/or reduction of native aquatic and fishery endangered, threatened, sensitive species or species of special concern, and the loss and/or reduction in fisheries related recreational and economic values to residents and communities in the area to be impacted, as well as to Council members who utilize these natural resources for their beneficial uses.

9. As an organization committed to the conservation, protection, and restoration of Utah's coldwater fisheries and their watersheds, the Utah Council of TU would have liked to receive notice of, and the opportunity to protest, the Southern Nevada Water Authority's groundwater applications in the White Pine County and participate in any scheduled hearings on such applications as a means of protecting the organization's existing interests.

10. To date, the Utah Council of TU has never been given an opportunity to protect its rights and interests in the groundwater subject to the Southern Nevada Water Authority's applications. This is because the Utah Council of TU never received notice of the Southern Nevada Water Authority's groundwater applications in White Pine County and, as such, was never given the opportunity to file a protest within the 30 day time period allowed under Nevada water law. The Utah Council of TU never received notice or was given the opportunity to file a protest because the Utah Council of TU was not informed by the Nevada State Engineer of the applications as they might possibly affect Utah's waters, fisheries, and wildlife resources located within the Snake Valley Aquifer System tied to White Pine County, Nevada and Millard, Juab, and Tooele Counties, Utah from which water resources originate and used by Utah residents, recreational anglers, and the aquatic-riparian and fisheries resources of the area which would be potentially impacted by the Southern Nevada Water Authority's groundwater applications.

11. The Utah Council of TU believes that the State Engineer's 16 plus year delay in adjudicating the Southern Nevada Water Authority's groundwater applications and its subsequent refusal to re-notice the application and re-open the protest period is extremely unfair and unjust and prejudices the organization's interests in protecting the region's precious groundwater resources and the fish and wildlife that depend on them.

12. As an organization committed to the conservation, protection, and restoration of Utah's coldwater fisheries and their watersheds, the Utah Council of TU has a right to receive notice of the groundwater applications, the right to file a protest, and if a hearing is held, the right to participate fully in the adjudication process before the State Engineer issues a final decision on the applications. I believe this is the only way the Utah Council of TU can be given a full opportunity to be heard. I also believe that anything less would be entirely unfair.

13. I declare under penalty of perjury under the laws of the United States and the laws of the State of Nevada that the foregoing is true and correct.

Executed on this 30th day of June, 2006.



Paul Dremann, as Vice President of Conservation of the Utah Council of TU