

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

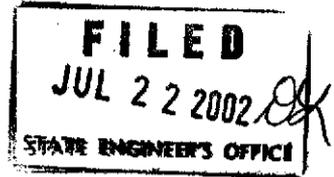
IN THE MATTER OF APPLICATION NUMBER 68667,

FILED BY KIM MCCREARY

ON APRIL 1, 20 02, TO APPROPRIATE THE

WATERS OF AN UNDERGROUND SOURCE

PROTEST



Comes now Washoe County

Printed or typed name of protestant

whose post office address is P.O. Box 11130, Reno, NV 89520-0027

Street No. or P.O. Box, City, State, and Zip Code

whose occupation is a political subdivision of the State of Nevada, and protests the granting

of Application Number 68667, filed on April 1, 20 02,

by Kim McCreary to appropriate the

waters of an underground source situated in Washoe

Underground or name of stream, lake, spring, or other source

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

Please refer to attached Exhibit "A".

THEREFORE the protestant requests that the application be denied

Denied, issued subject to prior rights, etc., as the case may be

and that an order be entered for such relief as the State Engineer deems just and proper.

Signed

Agent or Protestant

Vahid Behmaram, Water Rights Supervisor

Printed or typed name, if agent

Address Washoe County Dept. of Water Resources

Street No. or P.O. Box No.

P.O. Box 11130, Reno, NV 89520-0027

City, State, and Zip Code No.

RECEIVED

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STATE ENGINEERS OFFICE

Subscribed and sworn to before me this 22<sup>nd</sup> day of July, 20 02.



State of

Nevada

County of

Washoe

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

Exhibit "A"

Application 68667

Section 1.10 of the Public Services and Facilities Element of the Washoe County Comprehensive Plan states Washoe County shall "Prohibit long-term groundwater mining as a method of water management. Short-term groundwater mining is an unavoidable and acceptable aspect of all groundwater development schemes."

Section 1.10.1 states "Washoe County shall work with state and federal agencies to manage local groundwater resources to provide for annual use of these resources which does not exceed levels sustainable at current rates of inflow and recharge."

Washoe County Opposes granting of this application based on the following grounds:

- 1) There is no unappropriated water at the source supply
- 2) The proposed use or change may be detrimental to the public interest.

On September 27, 2001 the Nevada State Engineer issued his Ruling #5079 on applications 66555, 66556 and 66557, all within the Dodge Flat Hydrographic Basin. State Engineer in his ruling concluded that the perennial yield of the Dodge Flat Basin is 2100 acre-feet. This ruling limited the total appropriations within the basin, under existing permits and certificates and those under applications 66555, 66556 and 66557, to 2100 acre-feet. Therefore, this basin is fully appropriated and there is no unappropriated water remaining in the source of supply.

Application 68667 seeks to appropriate an additional duty of water sufficient to irrigate 80.37 acres of land, which at a rate of 4 acre-feet per acre would result in an over appropriation of 321.48 acre-feet. Washoe County is of the opinion that such an appropriation would result in the mining of the ground water basin, and as such granting of this application could be detrimental to the public interest.