

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

FILED  
OCT 10 2003  
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 70351,  
FILED BY DGD Development,  
ON August 25, 20 03, TO APPROPRIATE THE  
WATERS OF Underground

PROTEST

Comes now Washoe County  
Printed or typed name of protestant

whose post office address is 4930 Energy Way, Reno, NV 89502-4106  
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 70351, filed on August 25, 20 03,

by DGD Development to appropriate the  
waters of underground 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.

RECEIVED  
OCT 10 PM 4:14  
STATE ENGINEER'S OFFICE

Signed [Signature]  
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.  
4930 Energy Way, Reno, NV 89502-4106  
City, State, and Zip Code No.

Subscribed and sworn to before me this 10<sup>th</sup> day of October, 20 03.

SUZANNE T. WALSH  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 98-0424-2 - Expires January 23, 2006

[Signature]  
Notary Public  
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"**

**Applications 70350 and 70351**

Washoe County opposes the granting of these applications on the following grounds:

- 1) Granting of these applications would be detrimental to existing rights
- 2) Granting of these applications would not be in the public interest

These applications propose to divert a total combined duty of 291.0674 acre-feet of ground water to supplement the waters of Browns Creek for the purpose of golf course irrigation and landscaping.

Washoe County owns and operates the St. James water system. Currently there are two production wells (SJ1 & SJ2) and two proposed production wells (SJ3 & SJ4), which are described as follows:

<u>Well</u>	<u>Permit #</u>	<u>Distance to Proposed POD of 70350 &amp; 30351</u>
SJ1	59330	1.25 miles approximately
SJ2	59631	1 mile approximately
SJ3	59633	2500 feet approximately
SJ4	59632	200 feet approximately

These wells and the associated water rights are committed to serve 530 residential lots within the approved St. James Tentative Subdivision. Final subdivision maps have been recorded on 200 of these residential lots.

Supplemental ground water rights such as 70350 and 70351, by definition are to be exercised at times of drought when the surface water is not available. Furthermore this demand for the supplemental ground water coincides with peak water demand for municipal water systems, when such systems are already under stress.

Upon full build-out, Washoe County will rely on these production wells to supply potable domestic water to the residential units within St. James subdivision. During drought cycles which are proven to occur in our region, the diversion of water pursuant to applications 70350 & 70351 will adversely impact the County's production wells, especially well SJ4, some 200 feet away, and such diversion would be detrimental to the County's ability to meet its municipal water demands.