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

IN THE MATTER OF APPLICATION NUMBER 70485,

FILED BY DENNIS M. CHARLEY,

ON SEPTEMBER 30, 20 03, TO APPROPRIATE THE

WATERS OF UNDERGROUND

PROTEST

FILED
JAN 30 2004
STATE ENGINEER'S OFFICE

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 70485, filed on September 30, 2003, 20 03,

by DENNIS M. CHARLEY 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.

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.

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

Subscribed and sworn to before me this 28th day of January, 20 04.

Renee R. Harrison
Notary Public

RENEE R. HARRISON
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 03-85652-2 - Expires December 5, 2007

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 70484 and 70485

Applications 70484 and 70485 propose to appropriate a total of 4.0 cfs of water rights from the Cold Springs Hydrographic Basin.

Washoe County, a political subdivision of the State of Nevada, and its various departments are charged with planning, reviewing, and approval of all aspects of development within the unincorporated portions of Washoe County. Furthermore, Washoe County is ultimately responsible for regional water planning within Washoe County. Washoe County is filing these protests pursuant to said duties and responsibilities because granting of said applications would be detrimental to public interest and would conflict with existing rights.

On August 26 and September 26, 1997, the Nevada State Engineer issued Ruling Numbers 4560 and 4567 respectively, which resulted in the denial of Applications 62590 and 62589. These applications proposed to appropriate the ground water resources of Cold Springs Hydrographic Basin for quasi-municipal purposes. Said Rulings concluded that granting of Applications 62590 and 62589, in a basin where the quantity of existing appropriations exceeds the perennial yield of that basin, would conflict with existing rights and be detrimental to the public interest. Therefore, based on existing rulings on file at the State Engineer's office, Washoe County concludes that the granting of Applications 70484 and 70485 would have negative impacts on the quantity and quality of water resources of Cold Springs Valley Hydrographic Basin, and said impacts are detrimental to public interest and to existing rights.

The applicant indicates "Reports in the public record indicate that there should be additional resources available and new studies currently underway should verify the same." It is the County's position that until the results of said study are published, reviewed and adopted by all appropriate agencies, including The State Engineer, U.S.G.S. and Washoe County Department of Water Resources, such studies are not valid and as such can not be used as basis for granting of these applications.