

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

FILED
NOV 22 2004
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 71207
FILED BY Nevada Land and Resources
ON May 11, 2004, TO APPROPRIATE THE
WATERS OF State of Nevada

} PROTEST

Comes now Garth A. Sinfield
Printed or typed name of protestant

whose post office address is HC 34, Box 34001 Ely, NV 89301
Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is Farmer / Rancher and protests the granting

of Application Number 71207, filed on May 11, 2004

by Nevada Land and Resources to appropriate the

waters of State of Nevada, Underground situated in White Pine Co.
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:

See Attachment :

Also, I own water rights on Preston Little Spring which is just across 318 from Nevada Land and Resources Property. I don't get much water from my spring, but I can't afford to either.

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
04 NOV 22 PM 10:00
STATE ENGINEER'S OFFICE

Signed Garth A. Sinfield
Agent or protestant

Garth A. Sinfield
Printed or typed name, if agent

Address HC 34, Box 34001
Street No. or P.O. Box No.

Ely, NV 89301
City, State and Zip Code No.

Subscribed and sworn to before me this 19th day of November, 2004

JUSTICE OF THE PEACE
LUND TOWNSHIP # 2
LUND, NEVADA 89317

FILED

NOV 19 2004

LUND JUSTICE COURT

Russel W. Pearce
Notary Public

State of Nevada

County of White Pine

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

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Attachment to Protest of Application No. 71207

Filed May 11, 2004 by Nevada Land & Resource Company, LLC of Carson City, Nevada

In general, where soil is suitable and ground water abundant, I am in favor of additional development of land for agricultural use in the White River Valley hydro-geologic basin. However, I protest the granting of this application for the following reasons:

1. Indications are that the water table in all or parts of this alluvial basin is declining. If this is true the cause may be weather related or over-pumping or a combination of both. This application, together with the other two adjoining applications (numbers _____ and _____) would have significant impacts if the basin is already being over-pumped.
2. White Pine County is in the process of establishing a comprehensive monitoring program of the underground water tables. It is my belief that a reliable database from monitoring should be in place before any significant new development of underground water resources goes forward.
3. As I understand the situation, there are more applications for water permits in this basin than will ever be granted and they pre-date this application. These earlier applications should merit some reservation of available, if any, underground water.
4. This application is in close proximity to the springs used by both the Lund Irrigation and Water Company and the Preston Irrigation Company. A relatively shallow well (300-1000 feet), based on the applicant's resources, could conceivably tap the carbonate aquifer and have significant impact to those springs.
5. According to the latest County Assessor's records, Nevada Land & Resource Co., LLC only own 240 acres at this location.