

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

FILED  
NOV 08 2004  
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 71207 SOUTH 240

FILED BY NEVADA LAND & RES

ON MAY 11, 2004 TO APPROPRIATE THE

WATERS OF STATE OF NEVADA  
UNDERGROUND SOURCE  
WP. COUNTY

PROTEST

Comes now GARY LANE

whose post office address is HC 34 Box 34005 ELY NV 89301

whose occupation is RANCH MANAGER and protests the granting

of Application Number 71207, filed on MAY 11, 2004

by NEVADA LAND & RESOURCE to appropriate the

waters of UNDERGROUND situated in WHITE PINE CO.

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

I BELIEVE THAT THE VOLUME OF  
WATER APPLIED FOR WOULD AFFECT  
THE SPRINGS AND THE PUMPING  
LEVEL OF THIS AREA  
SEE ATTACHMENT:

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 Gary Lane

Agent or protestant

GARY LANE

Printed or typed name, if agent

Address HC 34 BOX 34005

Street No. or P.O. Box No.

ELY NV 89301

City, State and Zip Code No.

Subscribed and sworn to before me this 4th day of November, 2004

Russell W. Puroch

Notary Public

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

State of Nevada

County of White Pine

FILED

NOV 04 2004

LUND JUSTICE COURT

+ \$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

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04 NOV -8 AM 11:32  
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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 71206 and 71205) 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 ac acres at this location.