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

FILED
NOV 15 2004
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION

NUMBER.....71207.....,

FILED BY....STEVEN J CARTER .....,

ON WEDNESDAY, NOVEMBER 10, 2004....., TO APPROPRIATE

THE WATERS OF UNDERGROUND NEVADA

} PROTEST

Comes now.....STEVEN J CARTER .....
Printed or typed name of protestant

whose post office address is.....Post office Box # 27 - 65 West 100 North Lund, Nevada 89317.....
Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is .....Rancher ..... and protests the granting

of Application Number .....71207....., filed on .....Wednesday, November 10, 2004.....

by.....Nevada Land & Resource Company, LLC of Carson City, Nevada.....to appropriate the

waters of .....an underground source.....situated in White Pine County SE¼ NE¼, Section 9, T12N, R62E MDM, or at a point from which the N ¼ corner of said Section 9 bears N 45 10' 15" W, a distance of 2837.03 feet (2 ½ miles E of Preston, NV).
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:

In general, I am in favor of addition development of land for agricultural use in the White River Valley hydro-geologic basin. However, when ground water is not in abundance for such development I must protest the granting of such applications. Following are my reasons for the protest:.....

1. There are indications that the water table in the said underground source is in decline. This may be due to weather conditions and a stress from currant use or a combination of both. This application, together with two additional applications (numbers 71205 and 71206) would have a significant negative impact on an already stressed basin. As a long time resident and rancher, I have personally witnessed, in the last few years, the decline of flow in and of the actual drying up of many of our valuable springs.
2. At this time, White Pine County is in the process of creating a comprehensive program for the monitoring of its underground water tables. It would only make sense that such reliable database from said monitoring should be in place, with study findings available, before any significant new development of underground water resources is allowed to proceed. I find thus, that the approving of these applications at this time would be irresponsible.
3. It has come to my attention that there have been applications for water permits in this basin that pre-date this application. There are perhaps more applications here, than will ever be granted. These earlier applications should at least merit some reservation of any underground water, if at all available.
4. There is grave concern about the close proximity of this application 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 easily tap the aquifer and have a significant impact on those valuable springs, which have had an ultimate long range affect on the productivity of the entire White River Valley.
5. According to the latest County Assessor's records, Nevada Land & Resource Co., LLC owns only 40 acres at this location. The

amount of land base does not in any logical way call for the amount of water requested. This leads us to believe that the said company may be making this purchase of water and land for the sole purpose of selling the water at a later date to the highest bidder and exporting the water out of the original basins. Such owners of the said company do not now nor do they ever intend on residing in the local area or community; having total disregard for the negative impact this may cause. Such proposals of exporting this valuable water to Las Vegas have already been made by the Nevada Land & Resource Co.

6. I reside within the town of Lund. Each lot has a shallow well for culinary use. I am very concerned that the amount of water called for in this application along with others (numbers 71205 and 71206) will have a significantly negative impact on the communities of Lund and Preston. As a rancher, I own water rights that are near these applications. I am gravely concerned that the water table will be pulled down to the point that it will be uneconomical for me to farm and ranch. I would like to see a sufficient amount of water reserved for the local farms and communities for future growth and stability of the local economy.

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 Steven Carter
Agent or protestant

Steven Carter
Printed or typed name, if agent

Address PO Box 27
Street No. or P.O. Box No.

Lund, NV 89317
City, State and Zip Code No.

Subscribed and sworn to before me this 12th day of November, 20 04

Patti H. Christensen
Notary Public

PATTI H. CHRISTENSEN
Notary Public State of Nevada
White Pine County
My appointment expires Nov. 29, 2007
#99 11940 17

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.**