

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

IN THE MATTER OF APPLICATION NUMBER 72296)
FILED BY TUFFY RANCH PROPERTIES, LLC)
OF SPARKS, NEVADA, ON MARCH 4, 2005 TO APPROPRIATE)
THE WATERS OF THE STATE OF NEVADA)

PROTEST



Comes now Louis Benezet whose post office address is HC 74 Box 150, Pioche, Nevada 89043, whose occupation is concerned citizen, and protests the granting of Application number 72296 filed on march 4, 2005 by Tuffy Ranch Properties, LLC of Sparks, Nevada, to appropriate the waters of an underground source situated in Lincoln County, State of Nevada, for the following reasons and on the following grounds:

This Application is the first of 54 applications, numbers 72296 through 72349, to change the manner of use and place of use of waters heretofore appropriated. Applicant seeks to change the manner of use from agricultural to municipal, and to transfer the water from Lake Valley in northern Lincoln County to Coyote Springs Valley, a distance of over 100 miles.

These applications are speculative in nature. The applicant cannot put the water to beneficial use. Applicant does not possess a right of way to transfer the water. The amount of water he proposes to transfer is far in excess of the amount applicant has stated he will require to develop his land in Coyote Springs Valley. Applicant has other water rights near the proposed place of use. Applicant has stated that he will not use his own water to develop this property, but will buy water from Lincoln County Water District. Lincoln County Water District is in process of developing adequate water in the Coyote Springs area to serve applicants projected development. For all these reasons the applications must be considered speculative, and not within State guidelines.

The applications are not in the public interest, and would be harmful to other water rights holders and to the environment and socio-economic conditions of the basin of origin. Transfer of agricultural water out of the basin would reduce recharge to the aquifer. The basin is designated fully appropriated by the state. Transfer of the water would negatively affect the hydrologic balance. Effects to the environment would include loss of springs and riparian areas, affecting wildlife and plant communities. Water transfers would impact neighboring ranchers. Municipalities like the town of Pioche would suffer from loss of water supply. Socio-economic impacts would result from the loss of agriculture, which would affect the economy in northern Lincoln County, with loss of employment and increased per capita costs for government services.

THEREFORE the protestant requests that the application be denied, and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Louis Benezet
Louis Benezet
HC74, Box 150
Pioche, Nevada 89043

Subscribed and sworn before me this 14 day of June, 2005

Teresa M. Seewers
Notary Public
Lincoln County,
State of Nevada



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