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

In the matter of Application Number 73958, filed by Elko County of Elko, Nevada on the 3rd day of March 2006, to appropriate the waters of an underground source	} **PROTEST OF BOYD RANCH LLC** }

FILED
JUL 24 2006
STATE ENGINEER'S OFFICE

Comes now Boyd Ranch, LLC, whose post office address is Box 348, Halleck, Nevada 89824, whose occupation is cattle ranching, and protests the granting of Application Number 73958, filed on the 3rd day of March 2006, by Elko County of Elko, Nevada, to appropriate the waters of an underground source situated in Elko County, State of Nevada, for the following reasons and on the following grounds, to wit:

Boyd Ranch, LLC, owns rights to the use of a portion of the waters of the Humboldt River Basin and diverts from surface streamflows and from underground sources for irrigation and stockwatering. The surface waters and ground waters of the Humboldt River Basin are not independent of one another, but, in fact, they form an integrated unit. Ground water (with the exception of ground water that is entrapped and surrounded by impermeable material) is dependent on surface waters for recharge and replenishment and also contributes to and sustains surface streamflows and spring discharges. A large-draft well permit at or near the proposed point of diversion will ultimately result in the lowering of both water tables and piezometric levels and will deplete the ground-water reservoir, reducing natural ground-water discharge to surface streamflow and springs while changing hydraulic gradients, which will cause additional surface water to infiltrate into the ground-water reservoir. These changes will result in diminished surface flows, thus adversely affecting existing rights and threatening the public welfare. The proximity of the proposed point of diversion to the headwaters of Middle Susie Creek and to the springs that are the headwaters of Adobe Creek will ensure that the proposed diversion will be in conflict with prior surface-water rights.

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: _____
Andrew Q Boyd
Agent for Boyd Ranch, LLC

Address: Box 348
Halleck, Nevada 89824

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STATE ENGINEERS OFFICE

STATE OF NEVADA,)
) ss.
COUNTY OF ELKO.)

This instrument was acknowledged before me on July 14, 2006, by Andrew Q. Boyd, Agent for Boyd Ranch, LLC.

Donna L. Mitchell
NOTARY PUBLIC

DONNA L. MITCHELL
NOTARY PUBLIC • STATE of NEVADA
Elko County • Nevada
CERTIFICATE # 99-49589-6
APPT. EXP. DEC. 27, 2006