

FILED
MAY 17 2006
STATE ENGINEER'S OFFICE

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

In the Matter of Application Number 73962
Filed Redrock Valley Ranch, LLC,
On March 3, 2006, to change the point of diversion of a
portion of water appropriated under permit 29683,
Certificate No. 10522, (REDROCK VALLEY &
TRIBUTARIES).

PROTEST

Comes now LASSEN COUNTY, whose post office address is 707 Nevada Street, Susanville, California 96130 and protests the granting of Application Number 73962, filed on March 3, 2006, by Redrock Valley Ranch, LLC, to change the point of diversion of a portion of water appropriated under permit 29683, Certificate No. 10522, (REDROCK VALLEY & TRIBUTARIES), situated in WASHOE County, State of Nevada, for the following reasons and on the following grounds, to wit:

PLEASE SEE EXHIBIT "A" ATTACHED HERETO.

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.

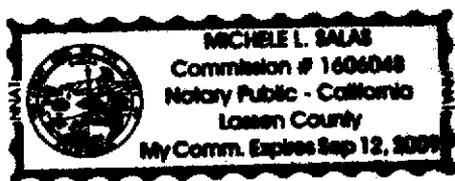
Signed by: *John Ketelsen*
John Ketelsen,
LASSEN COUNTY CAO

Address: 707 Nevada Street
Susanville, CA 96130

Subscribed and sworn to before me this 16 day of April, 2006.

Michele L. Salas
Notary Public

State of California, County of Lassen County



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

EXHIBIT "A"

Application #73962

Redrock Valley Ranches, LCC is proposing five Applications for permission to "change point of diversion" and one new application for a combined removal of 1969.394 acre feet from basin 99. Said water is proposed to be pumped by means of a pipeline to the Lemmon Valley area (Basin 92). This application (#73962) represents 36.594 acre feet of the overall amount.

1. Approval of the subject application will have an adverse impact on flows of Long Valley Creek, and accordingly, will adversely impact existing water rights and existing down-gradient ground-water users.
2. Approval of the subject application will, on information and belief, constitute a withdrawal of more water from the basin than is allowed by law, pursuant to Nevada Revised Statutes 533.271 (perennial yield principal), particularly when combined with other applications seeking to have the points of diversion changed to the same general area.
3. Approval of the subject application will, on the information and belief, adversely impact existing water sources (springs and seeps) presently utilized and depended upon by livestock, wildlife, fisheries, and riparian vegetation.
4. Approval of the subject application is not in the public interest because on the information and belief, pumping of the volume of ground-water represented by the subject application, particularly when combined with other applications seeking to have the points of diversion changed to the same general area, will result in a water mining situation and long-term detrimental impact on the aquifer.
5. The U.S. Geologic Survey in cooperation with Washoe County has completed a comprehensive Ground-Water Resource Evaluation of Dry Valley Washoe County, Nevada; Scientific Investigation Report 2004-5155. Results from the evaluation estimate total natural ground-water discharge from Dry Valley to range from a minimum of 700 acre-ft to a maximum of 1,000 acre-ft annually. Dry Valley (Basin 95) is located adjacent to and in the vicinity of the proposed withdrawal area (Basin 99) and is similar in geophysical characteristics and annual precipitation. As such, the study serves as an indicator of hydrological framework in the area. The study ultimately concludes that the natural ground-water discharge available in that general vicinity is minimal. A similar study should be conducted in the project area to determine the "actual" ground-water discharge availability in order to determine consistency with Nevada Revised Statutes 533.271.
6. The proposed "change of use" from irrigation to municipal and domestic use will entirely divert and remove existing water from the watershed, water that has historically been used for agricultural irrigation purposes (irrigation practices return a large portion of the extracted water back into the water table).
7. There is insufficient water in the proposed source.

STATE OF NEVADA
MAY 17 2006

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office MAR 03 2006
Returned to applicant for correction
Corrected application filed Map filed MAR 15 2006 under 73960

The applicant Redrock Valley Ranch, LLC

4000 Skyline Blvd. of Reno
Street and No. or P.O. Box No. City or Town

Nevada 89509 hereby makes application for permission to change the
State and Zip Code No.

Point of Diversion, Place and Manner of Use of a portion

of water heretofore appropriated under Permit No. 29683, Certificate No. 10522
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree

and identify right in Decree.

1. The source of water is underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.1782 cfs, 24,594 acre feet annually
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Municipal and domestic
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.

4. The water heretofore used for Irrigation & domestic
If for stock, state number and kind of animals.

5. The water is to be diverted at the following point within the NW 1/4 of the SW 1/4 of Section 12, T.23N.,
Describe as being within a 40-acre subdivision of public survey and by course

R.18E., M.D.M., or at a point from which the west 1/4 corner of said Section 12 bears North 48°24'09"
and distance to a section corner. If on unsurveyed land, it should be stated.
West a distance of 967.20 feet. See map supporting Permit No. 29181.

6. The existing point of diversion is located within the SE 1/4 of the SE 1/4 of Section 32, T.24N.,
If point of diversion is not changed, do not answer.

R.18E., M.D.M., or at a point from which the southeast corner of said Section 32 bears South 41°00'
East a distance of 1320.0 feet. See map supporting Permit No. 29683

Handwritten signature or initials

7. Proposed place of use

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

Please see attached Exhibit "A".

8. Existing place of use 9.15 acres within the SE 1/4 SE 1/4 of Section 32, T.24N., R.18E., M.D.M..

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of

All of the permitted place of use excepting those portions stripped by Application No. 72231, as use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. shown on the map supporting said Application.

9. Use will be from January 1 to December 31 of each year. Month and Day Month and Day

10. Use permitted from January 1 to December 31 of each year. Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water will be diverted by pipeline to existing T.M.W.A. State manner in which water is to be diverted, i.e. diversion structure, ditches, facilities, treated and placed into the existing distribution system. pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works \$5,000,000.00

13. Estimated time required to construct works 3 years If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be pumped, treated and delivered from Basin 99 by pipeline to TMWA's water distribution system in Stead to used within the proposed place of use described in Item 7.

By [Signature] Signature of Agent, George G. Lindsmith

Tri State Surveying 1925 E. Prater Way

Street and No., or P.O. Box No.

Sparks, Nevada 89434 (775) 358-9491

City, State, Zip Code No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

RECEIVED STATE ENGINEERS OFFICE

2006 MAR -3 PM 2:17

2006 MAY 17 PM 10:05

EXHIBIT "A"

T-N	R-E		DIVISION	SECTIONS
20	18	M.D.M.	All Portions*	1, 2, 11-13 3, 10, 14, 15, 23-25
20	19	M.D.M.	All Portions*	2-11, 16-19 1, 12-15, 20-22, 29, 30
21	18	M.D.M.	All Portions*	1, 12, 13, 23-25, 36 2, 11, 14, 15, 22, 26, 27, 35
21	19	M.D.M.	All Portions*	3-10, 13-35 2, 11, 12, 36
21	20	M.D.M.	All Portions*	19, 30 17, 18, 20, 29, 31
22	18	M.D.M.	All Portions*	23-25, 36 12-15, 22, 26, 27, 35
22	19	M.D.M.	All Portions*	17, 19, 20, 29-33 7-9, 16, 18, 21, 27, 28, 34, 35

*Those portions within the Lemmon Valley Hydrographic Basin

PLATE 10

NOV 17 1906

1906