

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



PROTEST

In the Matter of Application Number 73966
Filed Redrock Valley Ranch, LLC,
On March 3, 2006, to change the point of diversion of a
portion of water appropriated under permit No. XXXX,
(REDROCK VALLEY & TRIBUTARIES).

Comes now LASSEN COUNTY, whose post office address is 707 Nevada Street, Susanville, California 96130 and protests the granting of Application Number 73966, filed on March 3, 2006, by Redrock Valley Ranch, LLC, to change the point of diversion of a portion of water appropriated under permit No. XXXX (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.

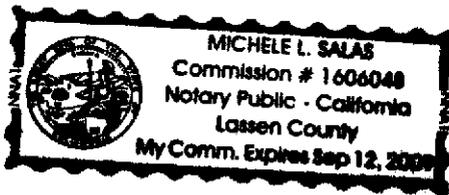
Signed by: *John Ketelsen*
John Ketelsen,
LASSEN COUNTY CAO

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



STATE ENGINEER'S OFFICE
MAY 17 2006 10:01 AM

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

EXHIBIT "A"

Application #73966

Redrock Valley Ranches, LCC is proposing five Applications for permission to "change point of diversion" and one new application (the subject 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 (#73966) represents 500.00 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 ENGINEER'S OFFICE
2008 MAY 17 AM 10:05

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

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
NEVADA 89509
State and Zip Code No.

hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

October 24, 2005

- 1. The source of the proposed appropriation is underground
2. The amount of water applied for is 500 cfs (500.0 ac.ft.) second feet.
3. The water to be used for Municipal and Domestic
4. If use is for:
(a) Irrigation, state number of acres to be irrigated
(b) Stockwater, state number and kind of animals
(c) Other use (describe fully under "No. 12. Remarks") Single family Homes, Commercial and industrial units
(d) Power generation:
(1) Horsepower developed
(2) Point of return of water to stream

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5. The water is to be diverted from its source at the following point NW+SW4 Sec. 12
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

T. 23 N., R. 18 E., M DB 1/4 or at a point from which the W 1/4 corner of said section 12 bears N 46° 09' W 947.20 feet

6. Place of use See attached exhibit "A"
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about Jan. 1st and end about Dec. 31st of each year.
Month and Day

8. 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.) Drilled well, pump, motor pipeline and distribution system.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works 5.0 million

10. Estimated time required to construct works 2 yrs
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 10 yrs.

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
Maps supporting applications 73960-73965 will support this application. This application is for groundwater to supplement the above numbered change applications

Teter G. Morros P.E.
Type on print name clearly
Teter G. Morros
Signature, applicant or agent

FAX (775) 852-1455
Phone No.
555 VIEW CREST CT.
Street and No. or P.O. Box No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT
RECEIVED Reno, NV 89511
City, State, Zip Code No.

\$250 FILING FEE MUST ACCOMPANY APPLICATION

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

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 2006 MAY 17 AM 10:07