

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

In the Matter of Application Number 74368
Filed by Redrock Valley Ranch, LLC,
On June 8, 2006.



PROTEST

Comes now LASSEN COUNTY, whose post office address is 707 Nevada Street, Susanville, California 96130 and protests the granting of Application Number 74368, filed on June 8, 2006, by Redrock Valley Ranch, LLC, to appropriate waters of Dry Creek, 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 T. Ketelsen*
John T. Ketelsen,
LASSEN COUNTY CAO
Address: 707 Nevada Street
Susanville, CA 96130

Subscribed and sworn to before me this 6th day of September, 2006,
by John T. Ketelsen, personally known to me to be the person who appeared before me.

Regina A. Schaap
Notary Public
State of California, County of Lassen



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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 #74368

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. There is insufficient water in the proposed source.

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