

BEFORE THE STATE ENGINEER, STATE OF NEVADA
DEPARTMENT OF CONSERVATION & NATURAL RESOURCES
DIVISION OF WATER RESOURCES

FILED
JUN 15 2007 BY
STATE ENGINEER'S OFFICE

IN THE MATTER OF
APPLICATION NUMBER: 75573
FILED BY: PAUL PLOUVIEZ C/O BENCH CREEK RANCH
ON: APRIL 13, 2007, TO APPROPRIATE THE
WATERS OF: UNDERGROUND

PROTEST & REQUEST TO
DENY APPLICATION 75573
PETITION FOR HEARING
PURSUANT TO N.R.S. 533.365

2007 JUN 11 PM 1:43

COMES NOW: CHURCHILL COUNTY

WHOSE ADDRESS IS: 155 NORTH TAYLOR STREET, SUITE 153, FALLON NV 89406

WHOSE OCCUPATION IS: A POLITICAL SUBDIVISION OF THE STATE OF NEVADA AND PROTESTS
THE GRANTING OF APPLICATION NUMBER: 75573 FILED ON: APRIL 13, 2007 BY: PAUL
PLOUVIEZ C/O BENCH CREEK RANCH TO APPROPRIATE THE WATERS OF: UNDERGROUND
SITUATED IN: CHURCHILL COUNTY, STATE OF NEVADA, FOR THE FOLLOWING REASONS AND
ON THE FOLLOWING GROUNDS, TO WIT:

1. CHURCHILL COUNTY HAS PENDING APPLICATIONS 49000 - 49205 AND 49794 - 49800 SEEKING TO APPROPRIATE ALL THE UNAPPROPRIATED UNDERGROUND WATER IN DIXIE VALLEY FOR QUASI-MUNICIPAL PURPOSES. THEREFORE, IF THESE SENIOR PRIORITY APPLICATIONS ARE APPROVED THERE WILL BE NO UNAPPROPRIATED WATER AVAILABLE FOR APPROPRIATION. CHURCHILL COUNTY'S 2025 AND 2050 WATER RESOURCE PLAN HAS IDENTIFIED DIXIE VALLEY AS A POTENTIALLY VIABLE SOURCE TO MEET THEIR LONG TERM WATER NEEDS. COWKICK VALLEY AND DIXIE VALLEY ARE HYDROLOGICALLY CONNECTED ACCORDING TO THE USGS.
2. CHURCHILL COUNTY IS AMENABLE TO THE GRANTING OF THIS PERMIT ON A TEMPORARY BASIS UNTIL SUCH TIME AS IT NEEDS TO DEVELOP THE DIXIE VALLEY UNDERGROUND RESOURCE. IF ONE OF THE FOLLOWING OPTIONS CAN BE NEGOTIATED WITH THE APPLICANT AND APPROVE CONCURRENCE WITH THE STATE ENGINEER, CHURCHILL COUNTY WILL WITHDRAW THE PROTEST CONTINGENT TO THE AGREED UPON TERMS. THE OPTIONS WHICH WILL BE EXPLORED WITH THE APPLICANT ARE:
 - A) ENTER INTO AN AGREEMENT WHEREBY THE PERMIT WILL EXPIRE AND BE CANCELLED UPON CHURCHILL COUNTY'S NEED TO DEVELOP THE RESOURCE. IT WOULD BE UNDERSTOOD THAT THE RIGHT WOULD REVERT BACK TO THE SOURCE AND CHURCHILL COUNTY'S PENDING APPLICATIONS WOULD APPROPRIATE.
 - B) ENTER INTO AN AGREEMENT WHEREBY THE PERMIT WOULD BE QUITCLAIMED TO CHURCHILL COUNTY UPON CHURCHILL COUNTY'S NEED TO DEVELOP THE RESOURCE.

OK

THEREFORE, IF CHURCHILL COUNTY AND THE APPLICANT CAN NOT REACH AN AGREEMENT IDENTIFIED IN ONE OF THE ITEMS UNDER 2. (A-B) SHOWN ABOVE, THE PROTESTANT RESPECTIVELY REQUESTS THAT THE STATE ENGINEER HOLD A HEARING ON THE APPLICATION AND THAT THE APPLICATION BE: **DENIED** AND AN ORDER BE ENTERED BY THE STATE ENGINEER DENYING SAID APPLICATION.

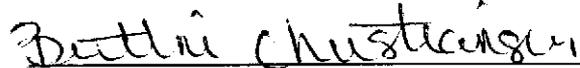
SIGNED:



CHRIS C. MAHANNAH, P.E., SWRS#976 (AGENT)
MAHANNAH & ASSOCIATES, LLC
P.O. BOX 2494
RENO, NV 89505
(775) 323-1804

STATE OF NEVADA
COUNTY OF WASHOE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 15 TH DAY OF JUNE, 2007
BY CHRIS C. MAHANNAH



STATE OF: NEVADA

COUNTY OF: WASHOE



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

**STATE OF NEVADA DIVISION OF WATER RESOURCES
REQUEST FOR NOTICE**

**IN REGARDS TO APPLICATION/PERMITS NUMBER(S): 75573, 75574, 75590 - 75594 FILED
IN THE NAME OF PAUL PLOUVIEZ;**

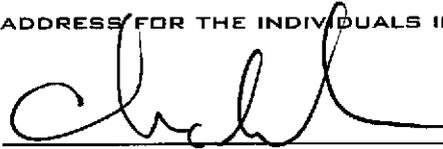
**PLEASE ADD THE FOLLOWING INDIVIDUALS TO THE MAILING LIST AND SEND COPIES OF ALL
CORRESPONDENCE TO THE ADDRESSES BELOW:**

- 1. MR. BRAD GOETSCH, MANAGER
CHURCHILL COUNTY
155 N. TAYLOR ST, SUITE #153
FALLON, NV 89406**
- 2. MR. RUSTY JARDINE, Esq.
CHURCHILL COUNTY DEPUTY DISTRICT ATTORNEY
155 N. TAYLOR ST., SUITE # 170
FALLON, NV 89406**
- 3. CHRIS C. MAHANNAH, P.E.
MAHANNAH & ASSOCIATES, LLC
P.O. BOX 2494
RENO, NV 89505**

I AM THE AGENT OR REPRESENTATIVE FOR CHURCHILL COUNTY.

**THIS FORM ACCURATELY REFLECTS THE MAILING ADDRESS FOR THE INDIVIDUALS IDENTIFIED
ABOVE.**

SIGNATURE: _____



**CHRIS C. MAHANNAH, P.E., SWRS #976 (AGENT)
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RENO, NV 89505
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