

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

IN THE MATTER OF APPLICATION NUMBER 76221  
FILED BY VINCENT & LYNN CANNIZZARO PROTEST  
ON AUGUST 31, 2007, TO APPROPRIATE THE  
WATERS OF UNDERGROUND

**FILED**  
*OCT 19 2007*  
STATE ENGINEER'S OFFICE

RECEIVED  
2007 OCT 19 PM 2:58  
STATE ENGINEER'S OFFICE

Comes now Washoe County  
Printed or typed name of protestant

whose post office address is 4930 Energy Way, Reno, NV 89502-4106  
Street No. or P.O. Box, City, State, and Zip Code

whose occupation is a political subdivision of the State of Nevada, and protests the granting  
of Application Number 76221, filed on AUGUST 31, 2007,

by VINCENT & LYNN CANNIZZARO to  
appropriate the

waters of UNDERGROUND situated in Washoe  
Underground or name of stream, lake, spring, or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

Please refer to attached Exhibit "A".

THEREFORE the protestant requests that the application be Denied  
Denied, issued subject to prior rights, etc., as the case may be  
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed *Vahid Behmaram*  
Agent or Protestant

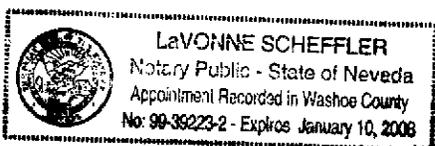
Vahid Behmaram, Water Rights Manager

Printed or typed name, if agent

Address Washoe County Dept. of Water Resources  
Street No. or P.O. Box No.

4930 Energy Way, Reno, NV 89502-4106  
City, State, and Zip Code No.

Subscribed and sworn to before me this 10TH day of OCTOBER, 2007.



*LaVonne Scheffler*  
Notary Public

State of Nevada

County of Washoe

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

## Exhibit "A"

### Applications 76220 & 76221

The above referenced application proposes to appropriate 4.04 acre-feet of underground water from the Antelope Valley Hydrographic Basin. U.S.G.S. Reconnaissance report # 43 estimates 150 acre-feet as the perennial yield of this basin. State Engineer's records indicate 55.96 acre-feet of existing appropriations of ground water within this basin.

However, the appropriation data does not include the water legally allocated to all the existing and future domestic wells within this basin. Washoe County Assessors data indicates 184 lots with existing domestic wells and 124 lots with the legal right to drill a domestic well, for a total of 308 residential lots within this basin which can draw up to 2 acre-feet annually from each domestic well.

NRS 533.370 states that:

*The State Engineer is prohibited by law from granting an application to appropriate the public waters of State of Nevada where:*

- A. There is no unappropriated water at the proposed source;*
- B. The proposed use or change conflicts with existing rights;*
- C. The proposed use or change conflicts with protectible interests in the existing domestic wells as set forth in NRS 533.024; or*
- D. The proposed use or change threatens to prove detrimental to the public interest.*

Therefore, based on the foregoing, granting of these applications would conflict with all aspects of NRS 533.370, and these applications should be denied.