

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

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2010 APR 13 PM 3:44
STATE ENGINEER'S OFFICE

FILED
APR 13 2010
PROTEST
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 79277
FILED BY S.N.W.A
ON APRIL 10, 20 10, TO APPROPRIATE THE
WATERS OF UNDERGROUND

Comes now BRENT D. GARDNER
Printed or typed name of protestant

whose post office address is P.O. Box 220, LUNA, NV, 89317
Street No. or PO Box, City, State and ZIP Code

whose occupation is FARMING and protests the granting

of Application Number 79277, filed on JAN 28, 20 10

by S.N.W.A. to appropriate the

waters of UNDERGROUND situated in LINCOLN
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:

1. There is insufficient unappropriated water in the proposed source of supply; 2. Proposed use would conflict with existing water rights and protectable interests in domestic and/or ranch production and/or municipal wells; 3. Proposed use would be detrimental to the public interest on environmental grounds and would be environmentally unsound for the export basin; 4. Proposed use would be detrimental to the public interest on economic grounds and would unduly limit future growth and development in the export basin; 5. Proposed action is not an appropriate long-term use of water; 6. Applicant has not justified the need to import water from another basin; 7. Applicant has not implemented a sufficient water conservation plan; and 8. Applicant has not demonstrated good faith intent or financial ability and reasonable expectation to actually construct the work and apply the water to the intended beneficial use with reasonable diligence. Protestant reserves the right to amend this protest to include issues as they develop. Protestant incorporates other protests to SNWA's applications by reference.

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

Brent D Gardner

Agent or protestant

Address

P.O. Box 220

Printed or typed name, if agent

Street No. or PO Box

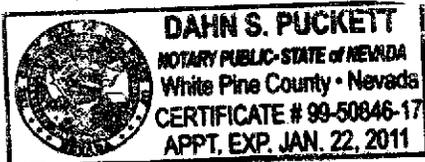
LUNA, NV, 89317

City, State and ZIP Code

775-238-5439

Phone Number

Subscribed and sworn to before me this 10th day of April, 20 10



[Signature]
Notary Public

State of Nevada

County of White Pine

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