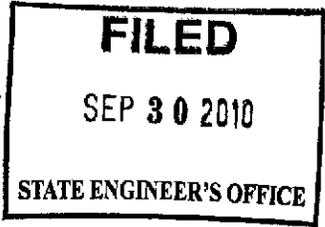


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER _____
FILED BY _____
ON _____, 20____, TO APPROPRIATE THE
WATERS OF _____



PROTEST



Comes now Rose M Noble
Printed or typed name of protestant

whose post office address is 5700 Patricia Ave., Las Vegas, NV 89130
Street No. or PO Box, City, State and ZIP Code

whose occupation is Bookkeeper and protests the granting

of Application Number 80123, filed on August 31, 2010, 20____

by Spring Creek Utilities Company to appropriate the

waters of Underground (Tract 301 well) situated in Elko

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:

I own property in the area commonly referred to as Lipparelli "Estates". The amount of water proposed for municipal use (2.0 cfs/ 471.81 mga) to provide additional water to the Spring Creek Associates residents will have an adverse affect on my existing well location and surface flows. I believe the Spring Creek Utility Company has other well location options with the 23.4 square mile Spring Creek Housing areas which would be less likely to harm the existing water tables requiring deepening or re-drilling my well, reduce surface and subterranean water flows.

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

Rose M Noble
Agent or protestant

Rose M Noble

Address

5700 Patricia Ave.
Printed or typed name, if agent

Las Vegas, NV 89130
Street No. or PO Box

702-371-1774 City, State and ZIP Code

Phone Number

Subscribed and sworn to before me this 27th day of September, 2010



Erica Landis
Notary Public

State of Nevada

County of Clark

STATE ENGINEER OF THE STATE OF NEVADA
2010 SEP 30 11:14 AM
RECEIVED

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

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office AUG 31 2010
Returned to applicant for correction
Corrected application filed Map filed

The applicant Spring Creek Utilities Company
285 East Spring Creek Parkway of Spring Creek
Nevada 89815
Street Address or PO Box City or Town
State and ZIP Code

hereby make(s) application for permission to change the
[checked] Point of diversion [checked] Place of use [] Manner of use [checked] of a portion
of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
permit #45923

1. The source of water is underground (Tract 301 well)
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 2.0 cfs / 471.81 mga
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for same as existing
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for municipal
If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
NE 1/4 NE 1/4 Section 36, T.33N, R.56E., M.D.M. from which the NE corner of said section bears N54°44'E., 171.47 ft. distant.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
SE 1/4 NE 1/4 Sec. 27, T.34N., R.56E., M.D.M., from which the NE corner of said Sec. 27 bears N.21°33'26"E., a distance of 2,508.68 feet.

Spring Creek Utilities Company has filed application #80123 with the state Division of Water Resources, moving a portion of its permitted water resources to a new well location as described in the enclosed copy of the application. NRS 533.360 requires the applicant to notify nearby domestic well owners of such application.

533.360

ADJUDICATION; APPROPRIATION

NRS 533.360 Notice of application: Contents; publication; mailing required under certain circumstances.

1. Except as otherwise provided in subsection 4, NRS 533.345 and subsection 5 of NRS 533.370, when an application is filed in compliance with this chapter, the State Engineer shall, within 30 days, publish or cause to be published once a week for 4 consecutive weeks in a newspaper of general circulation and printed and published in the county where the water is sought to be appropriated, a notice of the application which sets forth:

- (a) That the application has been filed.
 - (b) The date of the filing.
 - (c) The name and address of the applicant.
 - (d) The name of the source from which the appropriation is to be made.
 - (e) The location of the place of diversion, described by legal subdivision or metes and bounds and by a physical description of that place of diversion.
 - (f) The purpose for which the water is to be appropriated.
- ↪ The publisher shall add thereto the date of the first publication and the date of the last publication.

2. Except as otherwise provided in subsection 4, proof of publication must be filed within 30 days after the final day of publication. The State Engineer shall pay for the publication from the application fee. If the application is cancelled for any reason before publication, the State Engineer shall return to the applicant that portion of the application fee collected for publication.

3. If the application is for a proposed well:

- (a) For municipal, quasi-municipal or industrial use; and
- (b) Whose reasonably expected rate of diversion is one-half cubic foot per second or more,

↪ the applicant shall mail a copy of the notice of application to each owner of real property containing a domestic well that is within 2,500 feet of the proposed well, to his address as shown in the latest records of the county assessor. If there are not more than six such wells, notices must be sent to each owner by certified mail, return receipt requested. If there are more than six such wells, at least six notices must be sent to owners by certified mail, return receipt requested. The return receipts from these notices must be filed with the State Engineer before he may consider the application.

4. The provisions of this section do not apply to an environmental permit.

[61:140:1913; A 1925, 121; 1951, 132]—(NRS A 1975, 1397; 1981, 358; 1985, 489; 1989, 319; 1991, 758; 1993, 2641; 1995, 1530; 2001, 551; 2003, 2979; 2005, 2561)

NRS 533.363 State Engineer to notify county commissioners of application to use water in county other than that in which it is appropriated or currently diverted or used.

1. Except as otherwise provided in subsection 2, if water for which a permit is requested is to be used in a county other than that county in which it is to be appropriated, or is to be diverted from or used in a different county than that in which it is currently being diverted or used, then the State Engineer shall give notice of the receipt of the request for the permit to:

- (a) The board of county commissioners of the county in which the water for which the permit is requested will be appropriated or is currently being diverted or used; and

- (b) The board of county commissioners of the county in which the water will be diverted or used.