

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

FILED *ml*
JAN 18 2011
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 80340
FILED BY Spring Creek Utilities Company
ON December 17, 20 10, TO APPROPRIATE THE
WATERS OF permit #45920 at NE1/4 SE1/4 Sec.31, T33N, R57E



PROTEST

Comes now Al and Teresa Plank

Printed or typed name of protestant

whose post office address is 442 Lipparelli Lane #3, Spring Creek, NV 89815

Street No. or PO Box, City, State and ZIP Code

whose occupation is Manager

and protests the granting

of Application Number 80340

, filed on December 17,

, 20 10

by Spring Creek Utilities Company

to appropriate the

waters of Underground Basin - 048 - Dixie Creek/Tenmile Creek area

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:

Under provisions of NRS 533.024, "the legislature declares that it is the policy of this state to recognize the importance of domestic wells as appurtenances to private homes, to create a protective interest in such wells and to protect their supply of water from unreasonable adverse effects which are caused by municipal, quasi-municipal or industrial uses and which cannot reasonably be mitigated." The location of this proposed point of diversion and the proposed pumping rates will be up-gradient of and in the same aquifer as our domestic well. This application is for a location not significantly removed from a similar application that we have also filed a protest for to address the same threat to our domestic well. There is sure to be an adverse affect on our domestic well based on the effects to our water supply that we observe when we experience heavy water use in the summer months. If we can draw our well down with a garden hose, it is most certain that a well supplying a utility company will diminish or eliminate the water in our domestic well.

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

Teresa Plank
Agent or protestant

Printed or typed name, if agent

Address

442 Lipparelli Lane #3

Street No. or PO Box

Spring Crk, NV 89815

City, State and ZIP Code

775-753-9662

Phone Number

Subscribed and sworn to before me this

11

day of

January

, 20 11

Sandra Ann Bell
Notary Public

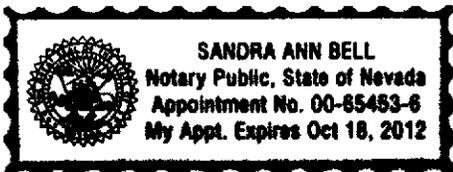
Notary Public

State of

Nevada

County of

Elko



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+ \$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.