

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

FILED *ML*
JAN 31 2011
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 80340
FILED BY Spring Creek Utilities
ON December 17, 20 10, TO APPROPRIATE THE
WATERS OF Permit #45920 NE1/4 SE1/4 Sec. 31, T. 33N, R 57E



PROTEST

Comes now Gregory and Cheryl Pyatt

Printed or typed name of protestant

whose post office address is 442 Lipparelli Lane Unit 4, Spring Creek NV, 89815

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

whose occupation is retired (State of NV)

and protests the granting

of Application Number 80340, filed on December 17, 20 10

by Spring Creek Utilities Company

to appropriate the

waters of Undergrond 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:

Our domestic well is located less than 5000 feet from the second municipal well proposed by Spring Creek Utilities Company in the past 3 1/2 months. (See Exhibits A-protest signed 10/8/10 against Application 80123 and B-Lipparelli Subdivision Parcel Map). We are deeply concerned with the 2 c.f.s. of the first application. Now SCUC is applying for a second municipal well producing 2.5 c.f.s., doubling our concerns of negative impacts to our domestic well dependent subdivision. SCUC has invoked imminent domain proceedings to drill the two municipal wells in our area to mitigate an arsenic problem in the Spring Creek Assoc. Tracts located many miles away (See Map-Exhibit C). To better serve its customers and reduce expenses to them, we feel SCUC should look for options closer to the mitigation area that would be less likely to adversely impact our ground and surface water flows. SCUC has further failed to investigate the potential negative impacts the proposed municipal wells, if allowed, will have on the numerous adjacent domestic wells. We therefore request our interests be protected from the installation of one or more municipal wells in our area as set forth in NRS 533.024

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

Gregory Pyatt *Cheryl Pyatt*

Agent or protestant

Gregory Pyatt

and Cheryl Pyatt

Printed or typed name, if agent

Address

442 Lipparelli Lane Unit 4 (APN: 006-52C-030/ Well Log # 18853)

Street No. or PO Box

Spring Creek, NV 89815

City, State and ZIP Code

(775)753-6134

Phone Number

*State of Nevada
County of Elko*

Subscribed and sworn to before me this

26th day of *January*, 20 *11*



Martha Luna

Notary Public

State of

Nevada

County of

Elko

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2011 JAN 31 AM 11:25
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IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 80123
FILED BY Spring Creek Utilities
ON August 31, 20 10, TO APPROPRIATE THE
WATERS OF NE1/4NE1/4Section36, T.33N, R.56E., M.D.M.,



PROTEST

Comes now Gregory and Cheryl Pyatt

Printed or typed name of protestant

whose post office address is 442 Lipparelli Lane Unit 4, Spring Creek NV, 89815

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

whose occupation is retired (State of NV)

and protests the granting

of Application Number 80123, filed on August 31, 20 10

by Spring Creek Utilities to appropriate the

waters of Underground NE1/4NE1/4 Section 36, T.33N, R.56E, M.D.M. 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:

We reside in an area adjacent to the proposed Spring Creek Utilities well and feel that the amount of water to be pumped from the municipal well (2.0 cfs / 471.81 mpa) will have a negative impact on our current well depth and pumping ability. With the continued growth in the Spring Creek Area, most of which is served by the Spring Creek Utilities, we have seen a decrease in the number of months and amount of water which flows in Dry Creek and Stoffer Creek in our subdivision. During the summer months, more sand is noticeable in our water supply, which could possibly be attributed to the increased population and water use in our valley. We feel that the Spring Creek Utilities Company has other location options available at an extended distance from our water source that would be less likely to cause a drop in our water table, springs, seeps, and creeks. We, along with other 10 acre plus parcel owners in our subdivision are totally dependent upon our wells to provide our water needs not only for our homes, but for our gardens, trees, livestock, etc and would like to see our interests protected from the installation of a municipal well in our area as set forth in NRS 533.024.

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

Gregory Pyatt Cheryl Pyatt
Agent or protestant

Gregory Pyatt and Cheryl Pyatt

Printed or typed name, if agent

Address

442 Lipparelli Lane Unit 4

Street No. or PO Box

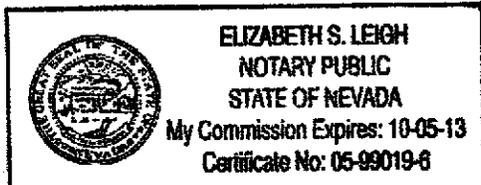
Spring Creek, NV 89815

City, State and ZIP Code

(775)753-6134

Phone Number

Subscribed and sworn to before me this 8th day of October, 20 10



Elizabeth S. Leigh
Notary Public

State of Nevada

County of Elko

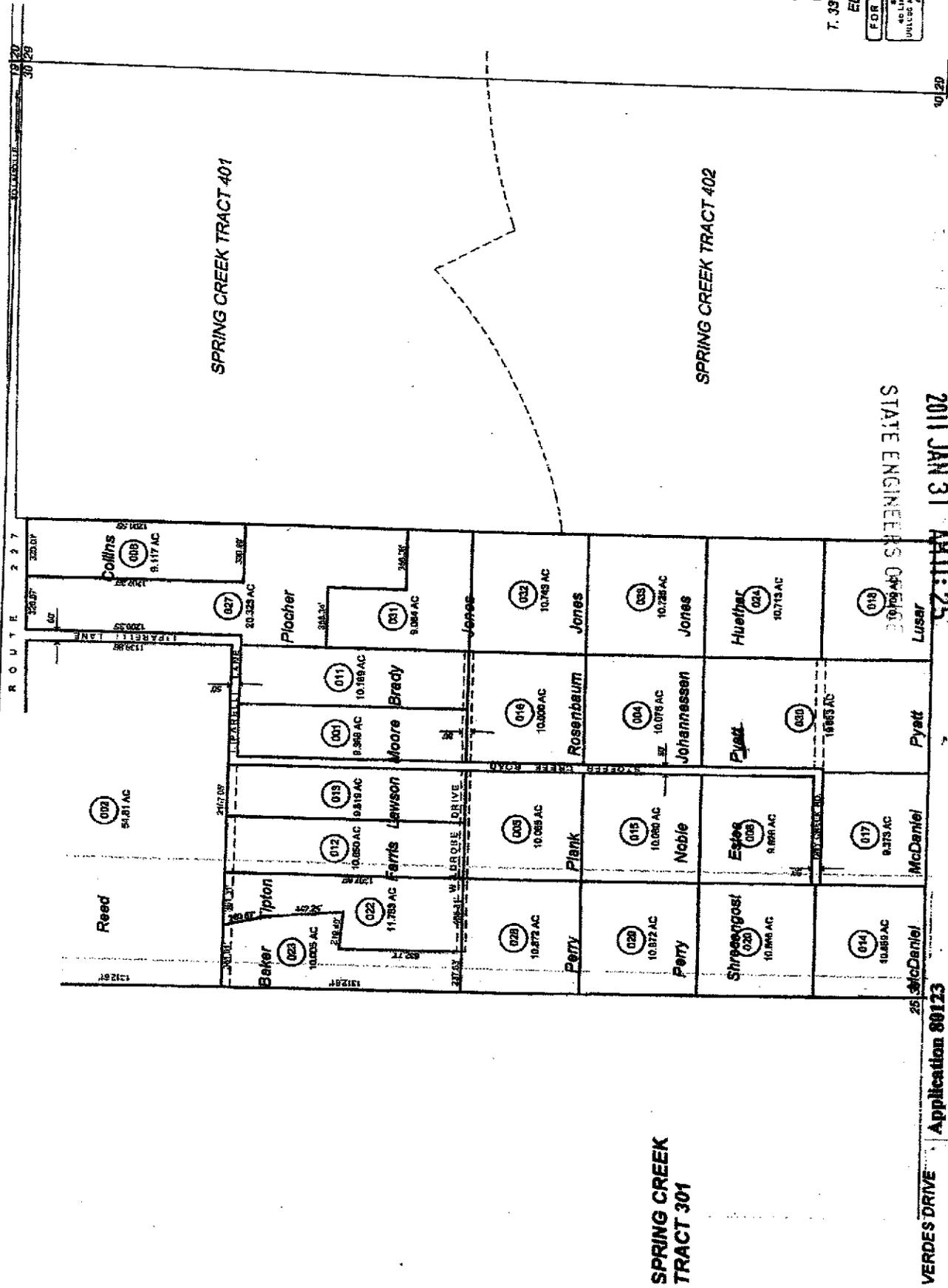
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006-52C

LIPPARELLI SUBDIVISION



SPECIAL LANDS
 WITHIN SECTION 30,
 T. 39 N., R. 57 E., M. D. 8 & M.
 ELKO COUNTY, NEVADA

FOR ASSESSMENT USE ONLY

THIS MAP DOES NOT REPRESENT A WARRANTY OF LIABILITY FOR ACCURACY IN ASSESSING VALUATION OR LIABILITY FOR ANY OTHER PURPOSES. OTHER USES ARE AT THE USER'S RISK.

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See EXHIBIT C for
 Approximate Location
 Application 89346

PRIVATE LAND: SARMAN PROPERTY

VERDES DRIVE Application 89123

PROPOSED WELL LOCATION
 SP CRK UTILITIES

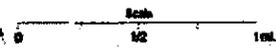
SPRING CREEK TRACT 301

ARSENIC MITIGATION AREA

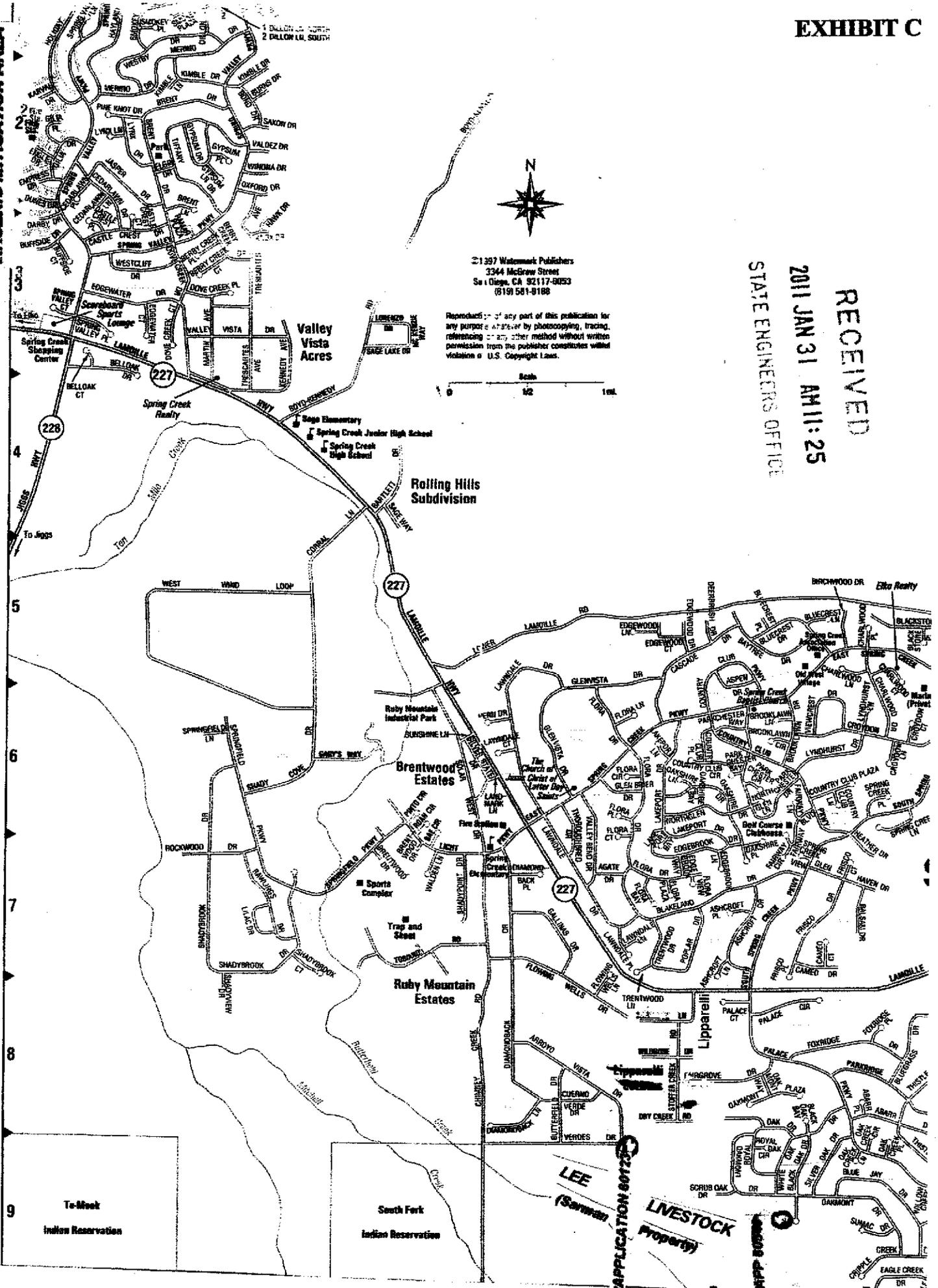


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WELL APPLICATION 60123
LEE (Summer)
LIVESTOCK Property