

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

IN THE MATTER OF APPLICATION NUMBER 80454
FILED BY Corp. of Presiding Bishop of LDS Church
ON January 12, 20 11, TO APPROPRIATE THE
WATERS OF Negro Creek



FILED
MAR 10 2011
STATE ENGINEER'S OFFICE

PROTEST

Comes now George Eldridge & Son, Inc.

Printed or typed name of protestant

whose post office address is HC 33, Box 33950, Ely, NV 89301

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

whose occupation is Ranching

and protests the granting

of Application Number 80454

, filed on January 12

, 20 11

by Corp. of Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints

to appropriate the

waters of Negro Creek

situated in White Pine

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:

This application would change POD from lower ranch to upper ranch to facilitate putting all the applicant's Negro Creek water into a pipeline which would transport stream to lower ranch, thus eliminating percolation through the stream bed. George Eldridge & Son, Inc. holds irrigation rights to North and South Millick Springs which lie at the toe of the Negro Creek alluvial fan and are believed fed by percolation through the fan. Also applicant and protestant may hold vested stockwater rights on either of those springs, and the springs rise on two 40-acre Public Water Reserves. Due to a likelihood that eliminating percolation through the Negro Creek alluvial fan will severely impair flows from the springs this protestant anticipates its rights being impaired or destroyed.

Approximately 145 acres in NE 1/4, Section 3, T. 16 N., R. 67 E., MDB&M has not been irrigated since 1956 and, if it ever was irrigated prior to 1956 and after filing PBU, has obviously been abandoned. Certificate 3213 should be reduced accordingly.

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.

RECEIVED
2011 MAR 10 PM 12:30
STATE ENGINEER'S OFFICE

Signed

Brent Eldridge

Agent or protestant

Brent Eldridge

Printed or typed name, if agent

Address

HC 33 Box 33950

Street No. or PO Box

Ely, Nevada 89301

City, State and ZIP Code

775-296-0635 cell or 775-591-0333 office

Phone Number

Subscribed and sworn to before me this

9th

day of

March

, 20 11



Carol R. Fielding

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.