

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

FILED
MAR 10 2011
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 80456
FILED BY Corp. of the Presiding Bishop of the LDS Church
ON January 12, 2011, TO APPROPRIATE THE
WATERS OF Negro Creek

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 80456

, filed on January 12

, 20 11

by Corp. of the 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:

There appears to be an error in the advertised legal description of the proposed POD. However, we assume that the decreed use was and would continue to be on the lower ranch, being transported there from the upper ranch by a proposed pipeline which would eliminate percolation from the natural Negro Creek 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 believes those springs are fed by percolation from Negro Creek. Also applicant and protestant may hold vested stockwater rights on either of those springs, and the springs rise on two federal 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 and others' rights being impaired or destroyed should this application be granted unless State Engineer requires hold-harmless mitigation in the form of fully replacing spring water with water from pipeline.

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 12:50
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
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.