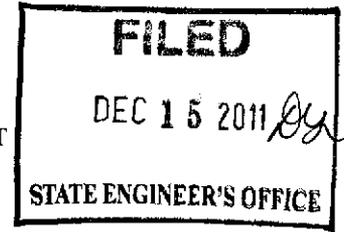


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 80562
FILED BY Southern Nevada Water Authority
ON February 11th, 20 11



PROTEST



Comes now White Pine County - District Attorneys Office

Printed or typed name of protestant

whose post office address is 801 Clark St., Ste#3, Ely, Nevada 89301

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

whose occupation is A Political Subdivision of the State of Nevada

and protests the granting

of Application Number 80562, filed on February 11th, 20 11

by Southern Nevada Water Authority for the

waters of a spring (Mike Springs) source - Spring Valley (Basin 184) situated in White Pine

an underground source or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

See attachments

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

Kellye Brown

Agent or protestant

Kelly Brown

Printed or typed name, if agent

Address

801 Clark Street, No. 3

Street No. or PO Box

Ely, Nevada 89301

City, State and ZIP Code

(775) 293-6565

Phone Number

kbrown@mwpower.net

E-mail

Subscribed and sworn to before me this 14th day of December, 20 11

Shonna K. Sampson
Notary Public

State of Nevada

County of White Pine



SHONNA K. SAMPSON
NOTARY PUBLIC - STATE OF NEVADA
White Pine County - Nevada
CERTIFICATE # 92-4156-17
APPT. EXP. September 28, 2012

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

General Information

Application: [80562](#) | Status: APPLICATION | Certificate: None | [Start new search](#)

General

| | | | |
|------------|---------|---------------|---------------------|
| Owner(s): | SNWA | Basin: | SPRING VALLEY - 184 |
| Sub Basin: | | Basin Status: | |
| Region: | CENTRAL | County: | WHITE PINE |

Previous Applications (Base Rights)

No previous applications found

| | | | |
|---------------|---------------|---------------------|--------------|
| Source: | SPRING | Source Description: | MIKE SPRINGS |
| Project Name: | | Decree Name: | |
| Use: | STOCKWATERING | Period End: | 1231 |
| Period Start: | 0101 | | |

Point of Diversion Information:

| | | | | |
|----------|------|----------|-----------|--------|
| Qtr-Qtr: | Qtr: | Section: | Township: | Range: |
| | LT04 | 34 | 20NH | 69E |

| | | | |
|--------------------|-------|--------------|--------------|
| Duty Balance: | 0 AFA | Div Balance: | 0.0117 |
| Acre-Feet Storage: | 0 | Well Logs: | Well Log Nos |
| Remarks: | | | |

White Pine County Community and Economic Development

Courthouse Annex • 957 Campton Street • Ely, Nevada 89301
(775) 289-3065 • Fax (775) 289-8860

December 14, 2011

Application #: 80562

RE: SNWA Water Rights History Socio-Economic Analysis Report

Created By: Community and Economic Development Office
957 Campton St., Ste. #11
Ely, NV. 89301
Jim Garza – Director

Based on the spreadsheet below, SNWA currently controls 27.64% of all water rights in White Pine County in some form based just on the “Status” categories SNWA and/or its affiliates are currently assigned in now by the State of Nevada – Division of Water Resources.

The 2011 FYE Report from the Nevada Department of Taxation shows \$314,234,535.00 were created in taxable sales in White Pine County. If you take 27.64% of this amount, \$86,854,424.00, I would ask myself should one entity control 27.64% of available water rights when it does not contribute same in Taxable Sales.

The White House Rural Council (JOBS AND ECONOMIC SECURITY FOR RURAL AMERICA) Report and the Nevada issued (NEVADA INDUSTRY AND COMPETITIVE ANALYSIS) Report clearly state initiatives that need to be implemented to encourage diversification in rural areas like White Pine County.

With SNWA holding over 240,000 AFA in the queue, how does White Pine County stand a chance to take advantage of federal funds that are forthcoming when new entities that would like to develop crop production / manufacturing/ mining/ oil and gas exploration facilities in areas adjacent to these application sites if SNWA continues to submit applications to tie up availability on a first come first serve basis?

Within (9) square Township/Range blocks, the site effects a portion or all of; 140+/- acres of unpatented mining claims dating back as old as 12/14/2006; and (7) BLM Grazing permits holding 525,680 acres.

If this application is approved, it will provide a negative approach to diversification within White Pine County and a negative result in future expansion to our local Oil and Gas, Mining and Animal and Crop Production in White Pine County.

This application must be denied based on conflicts with existing grazing, mining exploration and fossil fuel exploration rights in the region and/or threatens to prove detrimental to the public interest in denying economic growth and diversification in alignment with Federal and State initiatives based on no water right availability to sustain new development.

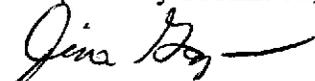
Secondly, this application would be detrimental to the public interest on environmental grounds and would be environmentally unsound as it relates to the Basin from which it is proposed by potentially creating harm to wildlife and wildlife habitat, degrading of air quality, destructive of recreational and aesthetic values, degradation of water quality, and degradation of cultural resources.

Southern Nevada Water Authority/ Corporation/ LVVWD - White Pine County Filing History

Date of Report: 12/02/11 **SNWA** **Entire County** **SNWA %**
Status Listed: **AFA Total** **Controlling** **Controlling** **Controlled** **Released**

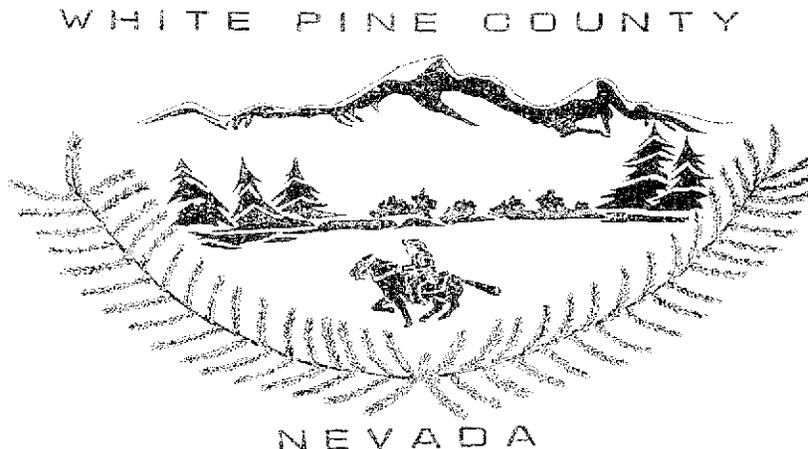
| | | | | | |
|------------------------------------|-------------------|-------------------|---------------------|---------------|------------------|
| Abrogated (ABR) | 0.00 | | | | 0.00 |
| Application (APP) | 5,582.53 | 5,582.53 | 5,790.16 | 96.41% | |
| Cancelled (CAN) | 0.00 | | | | 0.00 |
| Certificate (CER) | 38,460.00 | 38,460.00 | 319,084.60 | 12.05% | |
| Decreed (DEC) | 2,411.67 | 2,411.67 | 24,805.82 | 9.72% | |
| Denied (DEN) | 9,363.95 | | | | 9,363.95 |
| Expired (EXP) | 80.00 | | | | 80.00 |
| Permitted (PER) | 9,350.34 | 9,350.34 | 280,618.37 | 3.33% | |
| Ready for Action (Protested) (RFP) | 218,301.18 | 218,301.18 | 250,223.46 | 87.24% | |
| Ready for Action (RFA) | 20,400.00 | 20,400.00 | 70,647.41 | 28.88% | |
| Vested Right (VST) | 22,386.57 | 22,386.57 | 195,437.67 | 11.45% | |
| Withdrawn (WDR) | 31,400.35 | | | | 31,400.35 |
| Totals | 357,736.59 | 316,892.29 | 1,146,607.49 | 27.64% | 40,844.30 |

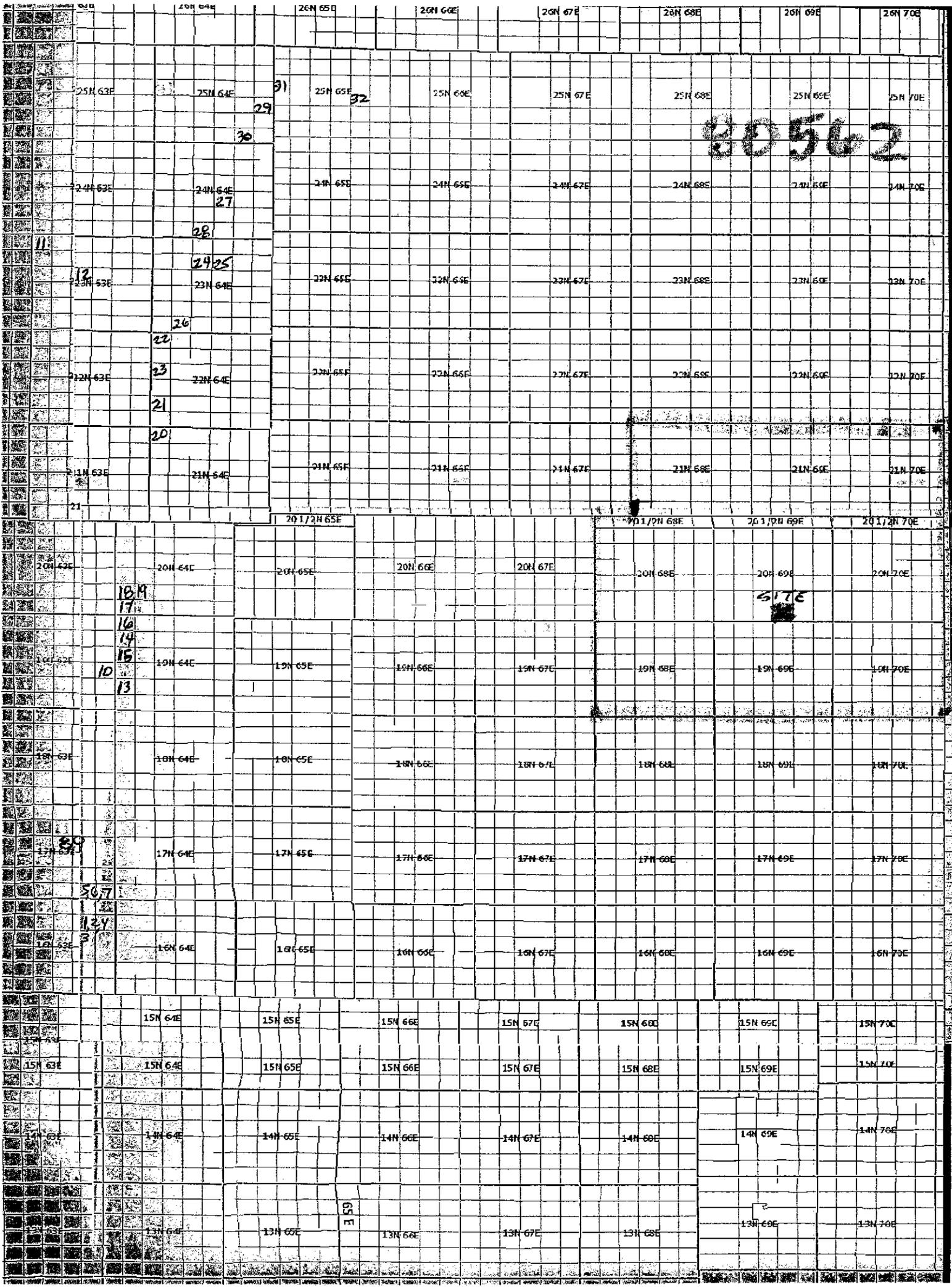
Respectfully Submitted,



Jim Garza

Director – Community and Economic Development





80562

SITE

18
17
16
14
15
10
13

89

507
127

50

| | | | | | | | |
|---------|---------|---------|---------|---------|---------|---------|---------|
| | 20N 64E | 20N 65E | 20N 66E | 20N 67E | 20N 68E | 20N 69E | 20N 70E |
| 25N 63E | 25N 64E | 25N 65E | 25N 66E | 25N 67E | 25N 68E | 25N 69E | 25N 70E |
| 24N 63E | 24N 64E | 24N 65E | 24N 66E | 24N 67E | 24N 68E | 24N 69E | 24N 70E |
| 23N 63E | 23N 64E | 23N 65E | 23N 66E | 23N 67E | 23N 68E | 23N 69E | 23N 70E |
| 22N 63E | 22N 64E | 22N 65E | 22N 66E | 22N 67E | 22N 68E | 22N 69E | 22N 70E |
| 21N 63E | 21N 64E | 21N 65E | 21N 66E | 21N 67E | 21N 68E | 21N 69E | 21N 70E |
| 20N 63E | 20N 64E | 20N 65E | 20N 66E | 20N 67E | 20N 68E | 20N 69E | 20N 70E |
| 19N 63E | 19N 64E | 19N 65E | 19N 66E | 19N 67E | 19N 68E | 19N 69E | 19N 70E |
| 18N 63E | 18N 64E | 18N 65E | 18N 66E | 18N 67E | 18N 68E | 18N 69E | 18N 70E |
| 17N 63E | 17N 64E | 17N 65E | 17N 66E | 17N 67E | 17N 68E | 17N 69E | 17N 70E |
| 16N 63E | 16N 64E | 16N 65E | 16N 66E | 16N 67E | 16N 68E | 16N 69E | 16N 70E |
| 15N 63E | 15N 64E | 15N 65E | 15N 66E | 15N 67E | 15N 68E | 15N 69E | 15N 70E |
| 14N 63E | 14N 64E | 14N 65E | 14N 66E | 14N 67E | 14N 68E | 14N 69E | 14N 70E |
| 13N 63E | 13N 64E | 13N 65E | 13N 66E | 13N 67E | 13N 68E | 13N 69E | 13N 70E |

UNPATENTED MINING CLAIMS

| | | | | | | | | | | | |
|-----------|--------|-------------------|-----------------------|--------------|------|----|-----------|-------|-------|-----|-------|
| NMC945374 | RED 12 | 12/14/06 12:00 AM | CORDEX EXPLORATION CO | 573 E 2ND ST | RENO | NV | 895021014 | 0210N | 0680E | 031 | NW SW |
| NMC945376 | RED 14 | 12/14/06 12:00 AM | CORDEX EXPLORATION CO | 573 E 2ND ST | RENO | NV | 895021014 | 0210N | 0680E | 031 | NW SW |
| NMC945387 | RED 25 | 12/14/06 12:00 AM | CORDEX EXPLORATION CO | 573 E 2ND ST | RENO | NV | 895021014 | 0210N | 0680E | 031 | SW |
| NMC945388 | RED 26 | 12/14/06 12:00 AM | CORDEX EXPLORATION CO | 573 E 2ND ST | RENO | NV | 895021014 | 0210N | 0680E | 031 | SW |
| NMC945389 | RED 27 | 12/14/06 12:00 AM | CORDEX EXPLORATION CO | 573 E 2ND ST | RENO | NV | 895021014 | 0210N | 0680E | 031 | SW |
| NMC945390 | RED 28 | 12/14/06 12:00 AM | CORDEX EXPLORATION CO | 573 E 2ND ST | RENO | NV | 895021014 | 0210N | 0680E | 031 | SW |
| NMC945392 | RED 30 | 12/14/06 12:00 AM | CORDEX EXPLORATION CO | 573 E 2ND ST | RENO | NV | 895021014 | 0210N | 0680E | 031 | SW |

BLM GRAZING
ALLOTMENT

| Allotment Name | Allotment Number | County Description | County Pct | Public Acres | Acres in County |
|-----------------|------------------|--------------------|------------|--------------|-----------------|
| MUNCY CREEK | 20111 | WHITE PINE | 100 | 207906 | 207,906 |
| DEVILS GATE | 10115 | WHITE PINE | 100 | 17686 | 17,686 |
| TIPPETT PASS | 20107 | WHITE PINE | 100 | 77161 | 77,161 |
| MILL SPRING | 10109 | WHITE PINE | 100 | 5587 | 5,587 |
| PLEASANT VALLEY | 110 | WHITE PINE | 100 | 5113 | 5,113 |
| MALLORY SPRINGS | 136 | WHITE PINE | 100 | 12186 | 12,186 |
| TIPPETT | 10106 | WHITE PINE | 100 | 200041 | 200,041 |
| | | | | | 525,680 |