

FILED  
AUG 12 2011  
STATE ENGINEER'S OFFICE

BEFORE THE STATE ENGINEER, STATE OF NEVADA  
DEPARTMENT OF CONSERVATION & NATURAL RESOURCES,  
DIVISION OF WATER RESOURCES

IN THE MATTER OF  
APPLICATION NUMBER: 80925  
FILED BY: STAGECOACH LAND & LIVESTOCK, LLC  
ON: JUNE 22, 2011 TO CHANGE THE  
WATERS OF: DANEY SPRING

PROTEST & REQUEST TO  
DENY APPLICATION 80925

COMES NOW: CHURCHILL COUNTY

WHOSE ADDRESS IS: 155 NORTH TAYLOR STREET, SUITE 153, FALLON NV 89406

WHOSE OCCUPATION IS: A POLITICAL SUBDIVISION OF THE STATE OF NEVADA AND PROTESTS  
THE GRANTING OF APPLICATION NUMBER: 80925 FILED ON: JUNE 22, 2011 BY:  
STAGECOACH LAND & LIVESTOCK, LLC TO APPROPRIATE WATERS OF: DANEY SPRING  
SITUATED IN: LYON COUNTY, STATE OF NEVADA, FOR THE FOLLOWING REASONS AND ON THE  
FOLLOWING GROUNDS, TO WIT:

1. APPLICANT IS OWNER OF A CERTIFICATED RIGHT (PERMIT 27416 / CERTIFICATE 10415) ON THIS SAME SPRING SOURCE IN THE AMOUNT OF 0.15 CFS BUT NOT TO EXCEED 28.0 AFA FOR IRRIGATION OF 7.0 ACRES WITHIN AN IDENTICAL PLACE OF USE AS DESCRIBED UNDER APPLICATION 80925. APPLICANT'S PREDECESSOR ATTEMPTED TO APPROPRIATE ADDITIONAL WATER FROM THIS SAME SOURCE UNDER PERMIT 40842 WHICH WAS CANCELLED FOR FAILURE TO DEVELOP AND PLACE ADDITIONAL WATER TO BENEFICIAL USE. NOTE APPLICATION 40842 WAS FILED ON 3/5/80 WHICH IS THE SAME DATE THE PBU WAS FILED FOR 27416. UPON INFORMATION AND BELIEVE, THE SOURCE IS FULLY APPROPRIATED AND THE ADDITIONAL 0.50 CFS DIVERSION RATE REQUESTED TO IRRIGATE 50 ACRES ABOVE THE 0.15 CFS CERTIFICATED UNDER PERMIT 27416 IS NOT AVAILABLE AT THE SOURCE.
2. DANNEY SPRING'S NATURAL DISCHARGE FLOWS DOWN DANNEY CANYON AND IS TRIBUTARY TO THE CARSON RIVER EITHER BY DIRECT SURFACE FLOW OR SUBSURFACE FLOW TO THE RIVER WEST OF DAYTON, NEVADA. THE ALPINE DECREE HAS DECLARED THE CARSON RIVER AND IT'S TRIBUTARIES FULLY APPROPRIATED WHEN IT WAS ENTERED INTO ON OCTOBER 28, 1980. PROTESTANT AND ITS RESIDENTS IN LAHONTAN VALLEY ARE OWNERS OF DECREEED CARSON RIVER WATER RIGHTS DOWNSTREAM OF THE PROPOSED NEW APPROPRIATION. TO ALLOW A NEW APPROPRIATION ON A SOURCE TRIBUTARY TO THE CARSON RIVER WHICH IS FULLY APPROPRIATED WOULD BE DETRIMENTAL TO EXISTING SENIOR PRIORITY DECREEED WATER RIGHTS AND NOT IN THE PUBLIC INTEREST.

THEREFORE, FOR THE FOREGOING REASONS, THE PROTESTANT RESPECTFULLY REQUESTS THAT THE STATE ENGINEER ISSUE A RULING DENYING THE APPLICATION OR HOLD A HEARING ON THE MATTER.

SIGNED:

CHRIS C. MAHANNAH, P.E., AGENT  
MAHANNAH & ASSOCIATES, LLC  
P.O. Box 2494  
RENO, NV 89505  
(775) 323-1804

STATE OF NEVADA  
COUNTY OF WASHOE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 11 DAY OF August, 2011  
BY CHRIS C. MAHANNAH

  
STATE OF: NEVADA  
COUNTY OF: WASHOE

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

**STATE OF NEVADA DIVISION OF WATER RESOURCES  
REQUEST FOR NOTICE**

IN REGARDS TO APPLICATION/PERMITS NUMBERS: **80925**

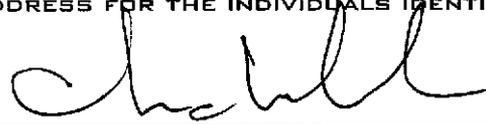
PLEASE ADD THE FOLLOWING INDIVIDUALS TO THE MAILING LIST AND SEND COPIES OF ALL CORRESPONDENCE TO THE ADDRESSES BELOW:

1. **MR. BRAD GOETSCH, MANAGER**  
CHURCHILL COUNTY  
155 N. TAYLOR ST, SUITE #153  
FALLON, NV 89406
2. **MR. CRAIG MINGAY, ESQ.**  
CHURCHILL COUNTY DEPUTY DISTRICT ATTORNEY  
165 N. ADA STREET  
FALLON, NV 89406
3. **CHRIS C. MAHANNAH, P.E.**  
MAHANNAH & ASSOCIATES, LLC  
P.O. BOX 2494  
RENO, NV 89505

I AM THE AGENT OR REPRESENTATIVE FOR CHURCHILL COUNTY.

THIS FORM ACCURATELY REFLECTS THE MAILING ADDRESS FOR THE INDIVIDUALS IDENTIFIED ABOVE.

SIGNATURE: \_\_\_\_\_



CHRIS C. MAHANNAH, P.E., SWRS #976 (AGENT)  
MAHANNAH & ASSOCIATES, LLC  
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