

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

IN THE MATTER OF APPLICATION NUMBER 81062  
FILED BY Southern Nevada Water Authority  
ON August 12th, 20 11



FILED  
PROTEST  
DEC 15 2011  
STATE ENGINEER'S OFFICE

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 81062

, filed on August 12th

, 20 11

by Southern Nevada Water Authority

for the

waters of a spring(South Millick Spring) 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 Kelly 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

RECORDED  
2011 DEC 15 PM 2:50  
FILED

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



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

## General Information

Application: [81062](#) | Status: APPLICATION | Certificate: None | [Start new search](#)

### General

Owner(s):	SOUTHERN NEVADA WATER AUTHORITY	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:	SOUTH MILLICK SPRING
Project Name:		Decree Name:	
Use:	WILDLIFE		
Period Start:	0101	Period End:	1231

### Point of Diversion Information:

Qtr-Qtr:	Qtr:	Section:	Township:	Range:
SE	SW	25	17N	67E

Duty Balance:	170.54 AFA	Div Balance:	0
Acre-Foot Storage:	0	Well Logs:	Well Log Nos.
Remarks:			

# White Pine County Community and Economic Development

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

December 14, 2011

Application #: 81062

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; 7,560+/- acres of existing BLM Oil and Gas Leases; and (7) BLM Grazing permits holding 388,107 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.

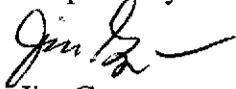
**Southern Nevada Water Authority/ Corporation/ LVVWD - White Pine County Filing History**

**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
<b>Totals</b>	<b>357,736.59</b>	<b>316,892.29</b>	<b>1,146,607.49</b>	<b>27.64%</b>	<b>40,844.30</b>

Respectfully Submitted,



Jim Garza  
Director – Community and Economic Development



81062

21

20

21N 63E 21N 64E 21N 65E 21N 66E 21N 67E 21N 68E 21N 69E 21N 70E

20 1/2N 65E 20 1/2N 68E 20 1/2N 69E 20 1/2N 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

18  
17  
16  
14  
15  
10  
13

89

56,7

134  
3

SITE

OIL & GAS LEASES

65 E

10N 63E 10N 64E 10N 65E 10N 66E 10N 67E 10N 68E 10N 69E 10N 70E

9N 63E 9N 64E 9N 65E 9N 66E 9N 67E 9N 68E 9N 69E 9N 70E

63 64 65 66 67 68 69 70

OIL & GAS LEASES

O&G LSE NONCOMP PD -1987	BARTON ROY G JR	1919 N TURNER ST	HOBBS	NM	88240	0170N	0670E	015	ENTIRE SECTION	1,440
O&G LSE NONCOMP PD -1987	BARTON ROY G JR	1919 N TURNER ST	HOBBS	NM	88240	0170N	0670E	016	N2 E2SE;	1,440
O&G LSE NONCOMP PD -1987	BARTON ROY G JR	1919 N TURNER ST	HOBBS	NM	88240	0170N	0670E	017	NE 1/4 NW 1/4 SW 1/4 SE 1/4 W 2 SE;	1,440
O&G LSE NONCOMP PD -1987	BARTON ROY G JR	1919 N TURNER ST	HOBBS	NM	88240	0170N	0670E	019	SESE;	1,080
O&G LSE NONCOMP PD -1987	BARTON ROY G JR	1919 N TURNER ST	HOBBS	NM	88240	0170N	0670E	020	S2;	1,080
O&G LSE NONCOMP PD -1987	BARTON ROY G JR	1919 N TURNER ST	HOBBS	NM	88240	0170N	0670E	021	E2NE;	1,080
O&G LSE NONCOMP PD -1987	BARTON ROY G JR	1919 N TURNER ST	HOBBS	NM	88240	0170N	0670E	022	ENTIRE SECTION	1,080

7,560

BLM GRAZING  
ALLOTMENTS

Allotment Name	Allotment Number	County Description	County Pct	Public Acres	Acres in County
MAJORS ALLOTMENT	10126	WHITE PINE	100	99193	99,193
CLEVELAND RANCH	10119	WHITE PINE	100	11656	11,656
NEGRO CREEK	120	WHITE PINE	100	31985	31,985
STEPHENS CREEK	10118	WHITE PINE	100	3784	3,784
MCCOY CREEK	10135	WHITE PINE	100	5289	5,289
MUNCY CREEK	20111	WHITE PINE	100	207906	207,906
TAFT CREEK	10116	WHITE PINE	100	28294	28,294
					<b>388,107</b>