

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

IN THE MATTER OF APPLICATION NUMBER 81063
FILED BY SOUTHERN NEVADA WATER AUTHORITY
ON 12th day of AUGUST, 20 11



FILED
OCT 04 2011
STATE ENGINEER'S OFFICE

PROTEST

Comes now KIM G. BUNDY

Printed or typed name of protestant

whose post office address is P.O. BOX 264 RUTH NEVADA 89319

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

whose occupation is RANCHER / MINER

and protests the granting

of Application Number 81063

, filed on 12th day of AUGUST

, 20 11

by SOUTHERN NEVADA WATER AUTHORITY

for the

waters of NORTH CREEK

situated in NORTH SPRING VALLEY NEVADA

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:

INSUFICEINT WATER IN SAID DRAINAGE TO SUPPLY CURRENT WATER RIGHT NO.4951 LET ALONE ADDITIONAL ALLOTMENT OF WATER.

(PLEASE SEE ATTACHED SHEET)

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

Agent or protestant

KIM G. BUNDY

Printed or typed name, if agent

Address

P.O. BOX

Street No. or PO Box

RUTH, NEVADA 89319

City, State and ZIP Code

(Ranch) 775-591-0412 (Cell) 775-293-1514

Phone Number

bundykim57@yahoo.com

E-mail

Subscribed and sworn to before me this

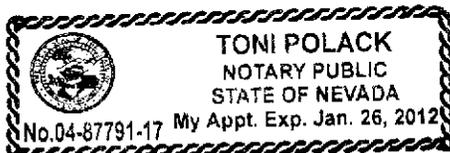
29

day of

September

, 20 11

STATE ENGINEER'S OFFICE
2011 OCT -4 AM 10:28
RECEIVED



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.**

In reference to the recent application from SNWA to the Nevada State Engineers Office to appropriate water (APPLICATION TO APPROPRIATE WATER NO. 81063) in North Spring Valley Nevada namely from the North Creek and Nigger Abe (Negro Abe) drainages.

I Kim G. Bundy (current lease holder and part owner) along with my Father Clarence A. Bundy and Siblings (Clarence A. Bundy Family Trust) (current landowners and water right holders in the above mentioned drainages) do hereby petition the Nevada State Engineer to deny this application and do hereby protest this application to appropriate addition water rights in said drainage due in part to reasons listed below.

*Since 1978 we have owned the Nigger Abe (Negro Abe) place (120 acres) which this drainage passes through and a water right for irrigation (NO. 4951) for 8.36 acres of land or 25.08 acre feet annually.

*During this time period (33years) there have only been 4 years that this drainage has run sufficient water to satisfy our water right at the point of diversion, this year being one of them.

*This water year (2010-2011) has been very exceptional due to the amount of snow received last winter and the winter previous which in turn has allowed this drainage to run this year.

*Prior to our family acquiring this land and water right, the long term residents James Doutrie previous owner of the Nigger Abe property and Burt Robinson previous owner of the Sunkist property (currently owned by SNWA) had many battles over this very water, Doutrie owned the water but Robinson was higher up the ditch and on years when the water would flow out from the mountains Robinson would turn the ditch out onto his property which would not allow the water to reach the diversion point above the Nigger Abe property to satisfy the legal right owned by Doutrie. A person with any degree of intelligence would recognize that if applying for a water right was all that was needed that that would have been the route to follow instead of fighting over it. But it was the lack of sufficient water that caused the many battles over this drainage and the water which flowed down it. Had there been sufficient water back in 1919 when this water right was issued there would have been more water allotted and both places would have benefited. It is no different today once in awhile you get a year or two where the snow accumulation and precipitation are good but most times it is not and the drainage of water is insufficient to satisfy the legal water right let alone allow for additional water rights.

*As everyone is aware SNWA has come into Spring Valley in the recent years and have purchased several of the ranches within the valley for the purpose of acquiring water rights so they can justly pump the water out of this and the surrounding valleys to satisfy the needs of Las Vegas. The amount of water here in this valley above and below ground is what allows this part of the county and its inhabitants (Human, Animal, Plant life etc.) to be able to sustain life and stay alive. I willingly welcome SNWA to the valley if their intentions are to be honest ranchers and contribute to life here in the valley but if they plan to take what is not legally or morally theirs without paying for what others have spent lifetimes establishing then what other course of action can a person pursue, I would like to avoid the actions that the old timers took but I do plan to protect what belongs to us.

*Even a child can recognize that you cannot drain a bath tub and expect it to stay full.

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