

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

FILED
DEC 20 2011
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 81068
FILED BY Southern Nevada Water Authority
ON August 11, 20 11



PROTEST

Comes now Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints, a Utah corporation sole

Printed or typed name of protestant

whose post office address is 50 East North Temple, 12th Floor, Salt Lake City, UT 84150

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

whose occupation is Ranch and Water Right Owner

and protests the granting

of Application Number 81068, filed on August 11, 20 11

by Southern Nevada Water Authority for the

waters of Deep Spring situated in Basin 184 - Spring Valley, 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 attached statement.

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

Terry F. Rudd

GSC

Terry F. Rudd, Agent AUTHORIZED AGENT

Agent or protestant

Printed or typed name, if agent

Address

50 E. North Temple, Rm 1205

Street No. or PO Box

Salt Lake City, Utah 84150-6320

City, State and ZIP Code

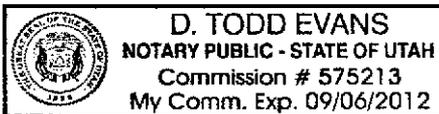
801-240-3840

Phone Number

RuddTF@ldschurch.org

E-mail

Subscribed and sworn to before me this 19th day of DECEMBER, 20 11



Notary Public

State of

UTAH

County of

SALT LAKE

STATE ENGINEER'S OFFICE
2011 DEC 20 AM 10:05
RECEIVED

+ \$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

81068

The Corporation of the Presiding Bishop (CPB) owns and operates the Cleveland and Rogers Ranches and three associated grazing allotments, including exclusive grazing rights on the Cleveland Ranch Allotment, as part of a large livestock operation in north Spring Valley. CPB holds a multitude of water rights on both fee ground and allotments that are critical to its overall operation. CPB protests this application for the following reasons:

- At least one other party (Eldridge) also holds a water right on Deep Spring. Eldridge also holds a water right on Goshute Creek, and Deep Spring appears to be a source of water for Goshute Creek that would comingle with tailwater from the Cleveland Ranch. The common water right holder on Deep Spring and Goshute Creek has already requested a field investigation due to the limited water received at his point of diversion. This application would add further demand on this system.
- SNWA appears to be requesting 0.13 cfs of water from this source, based on the “Spring Valley Hydrographic Basin 10-184 NRS 533.364 Inventory” that indicated that amount of available water based on estimations filed as part of the beneficial use filing. It is unclear if this amount actually exists based on present conditions.
- The place of use is several miles away from the point of diversion and appears to be higher in elevation than the point of diversion. Installation of a pipeline between the point of diversion and place of use could also impact vegetation and shallow groundwater flow in the Cleveland Ranch Allotment and even portions of the Cleveland Ranch.
- SNWA has not proven that it has authority to install conveyance improvements across public lands managed by the Bureau of Land Management.

For the above reasons, CPB requests that the application be denied, and reserves the right to supplement this protest prior to or as part of any hearing.

2015 DEC 20 AM 10:05
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REC'D-11-11-15