

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 81070
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 81070, filed on August 11, 20 11
by Southern Nevada Water Authority for the
waters of Unnamed Spring #5 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
Agent or protestant AUTHORIZED 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

D. TODD EVANS
NOTARY PUBLIC - STATE OF UTAH
Commission # 575213
My Comm. Exp. 09/06/2012

Notary Public
State of UTAH
County of SALT LAKE

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

81070

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 Negro Creek 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:

- CPB holds a claim of vested right (V010081) on this spring for stockwatering,
- Under current CPB management, wildlife already has full access to this water source,
- While the point of diversion, and a portion of the place of use is located on SNWA deeded land, the parcel is not, nor has it been, fenced. As such, the spring and associated riparian area has been utilized as part of the Negro Creek Allotment.
- The amount of water requested is excessive for the proposed use. Wildlife has full access to the source and there is no reason for this application.
- A portion of the proposed place of use of Application # 81070 is located on the Negro Creek Allotment.
- SNWA has not approached CPB, or provided any proposal, or plan for access to implement this proposed use without impacting CPB livestock operations.
- CPB questions what authority SNWA has to manage wildlife or its habitat, particularly on grazing allotments controlled by others.

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.

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