

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

IN THE MATTER OF APPLICATION NUMBER 81655  
FILED BY Moapa Valley Dairy Farms  
ON March 12, 2012



PROTEST



Comes now Muddy Valley Irrigation Company

Printed or typed name of protestant

whose post office address is 2625 N. Moapa Valley Blvd., Logandale, NV 89021

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

whose occupation is a non-profit irrigation company

and protests the granting

of Application Number 81655

, filed on March 12

, 20 12

by Moapa Valley Dairy Farms

for the

waters of an underground source

situated in Lower Moapa Valley (Basin 220)

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:

- 1.) The proposed point of diversion lies adjacent to the Muddy River. There is documented evidence on the Muddy River that groundwater pumping near the Muddy River reduces flows in the Muddy River (e.g., NV Energy groundwater pumping). Therefore this application should be denied since the Muddy River is fully appropriated and granting this application would directly conflict with the Muddy Valley Irrigation Company's surface water rights.
- 2.) Protestant believes that due to existing decreed surface water rights on the same place of use, there may have been non-use of a portion of the groundwater being changed, because use of such groundwater is prohibited by the combined duty limitation.
- 3.) Portions of the existing groundwater place of use overlap with the place of use for decreed surface water rights, making this groundwater supplemental to surface water and therefore ineligible to be changed without also changing the primary surface water rights.

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

*Scott Millington*

Agent or protestant

Scott Millington, (General Manager)

Printed or typed name, if agent

Address

P.O. Box 665

Street No. or PO Box

Overton, NV 89040

City, State and ZIP Code

702) 398-7310

Phone Number

muddyvalley@mvdsl.com

E-mail

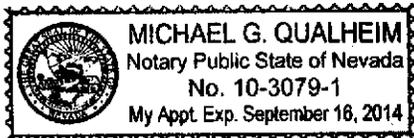
Subscribed and sworn to before me this

5

day of

July

, 20 12



*Michael G. Qualheim*  
Notary Public

State of Nevada

County of Clark

STATE ENGINEERS OFFICE  
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† \$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.