

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

IN THE MATTER OF APPLICATION NUMBER 82195
FILED BY Joe Saval Company, LLC
ON October 11, 2012



PROTEST



Comes now Ellison Ranching Company

Printed or typed name of protestant

whose post office address is HC 32 Box 240, Tuscarora, Nevada 89834

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

whose occupation is livestock rancher and protests the granting

of Application Number 82195, filed on October 11, 2012

by Joe Saval Company, LLC for the

waters of Fish Creek Road Spring situated in Lander

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 spring is located in a common use allotment and the allowance of 1,147 head of cattle during the period of use would result in consumption of all production of the source which would result in curtailing the grazing use of the protestant in the area.
2. The applicant has filed for 1,147 head of cattle of several sources and based on the several applications, would therefore become additive which is in excess of the permit to graze in the area and beneficial use could not be accomplished.
3. Ellison Ranching Company holds a water right on Fish Creek for irrigation, and Fish Creek Road Spring makes a contribution to the flow of the creek and the number of cattle and season of use requested would effect the flow for irrigation

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.

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2012 NOV 28 AM 10:57
STATE ENGINEERS OFFICE

Signed Gary E. DiGrazia
Agent or protestant

Gary E. DiGrazia, Attorney for Ellison Ranching Company

Printed or typed name, if agent

Address P.O. Box 1358

Street No. or PO Box

Elko, Nevada 89893

City, State and ZIP Code

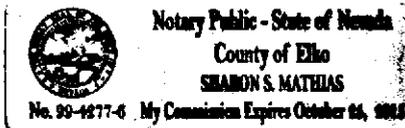
775-738-8091

Phone Number

gdclaws@frontier.net

E-mail

Subscribed and sworn to before me this 26th day of November, 2012



Sharon S. Mathias
Notary Public

State of Nevada

County of Elko

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