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

IN THE MATTER OF APPLICATION NUMBER 83217
FILED BY Baker Ranches, Inc.
ON November 4, , 20 13

PROTEST

FILED
DEC 30 2013
STATE ENGINEER'S OFFICE

Comes now U.S. Department of Interior, Bureau of Land Management
Printed or typed name of protestant

whose post office address is 95 East 500 North, Fillmore, UT 84631
Street No. or PO Box, City, State and ZIP Code

whose occupation is federal land management agency and protests the granting

of Application Number 83217, filed on November 4, 20 13

by Baker Ranches, Inc. for the

waters of Snake Valley basin fill aquifer situated in 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:

Please see attached statement of reasons.

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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

Amy Lueders, BLM Nevada State Director
Printed or typed name, if agent

Address 1340 Financial Blvd.
Street No. or PO Box

Reno, NV 89502
City, State and ZIP Code

775-861-6590
Phone Number

alueders@blm.gov
E-mail

State of Nevada
County of washoe

Subscribed and sworn to before me on December 30, 2013

by Amy Lueders

Pamela J. Collins
Signature of Notary Public Required

PAMELA J. COLLINS
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-56358-2 - Expires June 14, 2015

Notary Stamp or Seal Required

+ $30 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

Attachment to Bureau of Land Management Protest – Permit Application Number 83217

The application should be denied for the following reasons:

1. Groundwater monitoring to the north of the proposed diversion location at Snake Valley North MX Well (USGS Site Number, 390812114033601; located in Section 25 T15N R70E, M.D. B.M.) shows that groundwater levels in this vicinity have steadily declined over the last 20 years. Granting the application will likely further lower groundwater levels in this vicinity, resulting in unsustainable use of the groundwater resource and over-appropriation of the groundwater resource.

2. The proposed change may impair the following BLM rights within Utah:
   - Kane Spring – Water Right Number 18-406. This water right authorizes diversion 0.015 cfs for watering up to 175 livestock units.
   - Snake Valley Well (aka Flowing Well #2) – Water Right Number 18-719. This water right authorizes diversion of 0.044 cfs (21.266 acre feet annually) for watering up to 757 livestock units and 50 antelope.
   - Unadjudicated reserved water right on a Public Water Reserve 107 at Caine Spring. The spring located on the Utah-Nevada border within the NW ¼ SE ¼, Section 24, T19S R20W, S.L.B.&M and Lot 4, Section 30, T15N R71E, M.D.B.&M. BLM's reserved water right supports livestock and domestic uses. The BLM anticipates that the flow rate that would be claimed for the reserved water right would be approximately 12 gallons per minute.

3. The proposed change may impair the following BLM water rights within Nevada:
   - Unadjudicated reserved water right on a Public Water Reserve 107 at Caine Spring. The spring located on the Utah-Nevada border within the Lot 4, Section 30, T15N R71E, M.D.B.&M. BLM's reserved water right supports livestock and domestic uses. The BLM anticipates that the flow rate that would be claimed for the reserved water right would be approximately 12 gallons per minute.
   - Unadjudicated reserved water rights on the following Public Water Reserves:

     Unnamed Springs – T15N R71E, Section 31, Lots 1 & 2, SW¼ NW¼, NW¼ SW¼, SW¼ SW¼
     Unnamed Springs – T15N R70E, Section 30, Lot 1
     Unnamed Spring – T13N R70E, Section 19, SW¼ NE¼
     Unnamed Spring – T13N R70E, Section 32, SW¼ NE¼
     Unnamed Spring – T14N R69E, Section 35, Lot 14

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4. There are no known geologic barriers between the proposed points of diversion and the BLM water right locations listed above. If the changed water rights are used to implement large volumes of pumping sustained over multiple years, it is very likely that the cone of depression associated with the pumping will reach the BLM water rights listed above. If groundwater levels recede below the elevation of the spring orifice for the springs listed above, flow from the

springs may cease. If groundwater levels continue to recede at the well locations listed above, the wells may become unusable over the long term.

5. Granting the change application is not in the public interest. If the springs referenced experience reduced flow or cessation of flow, wetlands and wildlife values associated with the spring will be reduced or lost. If the springs and wells listed above are no longer usable for livestock watering purposes, current and future grazing permittees who rely upon these water sources may be forced to haul water long distances. Kane Spring provides water to the Knoll Spring Grazing Allotment. Snake Valley Well provides water to the Baker Grazing Allotment.

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