

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

IN THE MATTER OF APPLICATION NUMBER 83220  
FILED BY Baker Ranches, Inc.  
ON November 4, 2013

PROTESTIST  
**FILED**  
DEC 30 2013  
STATE ENGINEER'S OFFICE

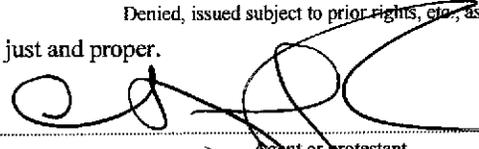
Comes now U.S. Department of Interior, Bureau of Land Management  
Printed or typed name of protestant  
whose post office address is 95 East 500 North, Fillmore, UT 84631  
Street No. or PO Box, City, State and ZIP Code  
whose occupation is federal land management agency and protests the granting  
of Application Number 83220, filed on November 4, 2013  
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  
State of Nevada Reno, NV 89502  
City, State and ZIP Code

Subscribed and sworn to before me on December 30, 2013 775-861-6590  
Phone Number  
by Amy Lueders alueders@blm.gov  
E-mail

  
Signature of Notary Public Required

 PAMELA J. COLLINS  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 89-56358-2 - 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 83220

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 NW¼ SE¼, 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 SE¼
    - 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
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

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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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