

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

FILED
NOV 12 2014
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 83948
FILED BY Eureka County
ON June 24, 2014

Amended
PROTEST

Comes now Kobeh Valley Ranch, LLC

Printed or typed name of protestant

whose post office address is 1726 Cole Blvd., Suite 115, Lakewood, CO 80401-2313

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

whose occupation is mining company and protests the granting

of Application Number 83948, filed on June 24, 2014

by Eureka County for the

waters of an underground source situated in Eureka County

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:

Refer to Exhibit A attached hereto.

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 [Signature]
Agent or protestant

Ross E. de Lipkau, Agent

Printed or typed name, if agent

Address 50 W. Liberty St., Suite 750

Street No. or PO Box

State of Nevada

County of Washoe

Reno, NV 89501

City, State and ZIP Code

Subscribed and sworn to before me on November 12, 2014

775-323-1601

Phone Number

by ***Ross E. de Lipkau***

rdelipkau@parsonsbehle.com

E-mail

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STATE ENGINEERS OFFICE

RONI L. SHAFFER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-36517-2 - Expires May 5, 2015

[Signature]
Signature of Notary Public Required

Notary Stamp or Seal Required

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

EXHIBIT A

1. The Kobeh Valley groundwater basin, assigned Basin 139 by the Nevada State Engineer, is fully appropriated.
2. The granting of this application would adversely affect existing rights, including wildlife uses.
3. The granting of Application 83948 is detrimental to the public interest.
4. The granting of Application 83948 would cause injury to domestic wells.
5. The filing of Application 83948 is disingenuous in that the use sought on the application is “municipal” where the actual use for agricultural or recharge purposes as required by NRS 534.250, *et seq.*
6. The application is speculative and that there is no current need for the water sought.
7. The applicant has failed to comply with the provisions of NRS 533.370(4).
8. The applicant has no statutory authority to seek water rights for the benefit of third party irrigators.
9. The permittee is speculating that water will be available at an indefinite period of time when current use has ceased.

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