

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

FILED
DEC 26 2014
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 84467
FILED BY Home Camp Cabin LLC
ON October 20, 20 14



PROTEST

Comes now USDO I - Bureau of Land Management

Printed or typed name of protestant

whose post office address is PO Box 460/602 Cressler Street, Cedarville, CA 96104

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

whose occupation is federal land management agency

and protests the granting

of Application Number 84467, filed on October 20, 20 14

by Home Camp Cabin LLC

for the

waters of Tom Spring

situated in Washoe

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:

See attachment for Tom Spring

RECEIVED
2014 DEC 26 AM 11:17
STATE ENGINEERS OFFICE

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

[Handwritten Signature]
Agent or protestant

Dennis A. Sylvia, PhD

Printed or typed name, if agent

Address

PO Box 460/602 Cressler Street

Street No. or PO Box

Cedarville, CA 96104

City, State and ZIP Code

State of Nevada

California

County of

Modoc

Subscribed and sworn to before me on

Dec 23, 2014

530-279-6101

Phone Number

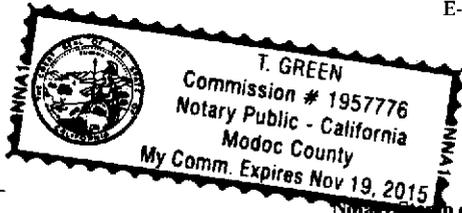
by Dennis A. Sylvia, PhD

dsylvia@blm.gov

E-mail

[Handwritten Signature]

Signature of Notary Public Required



Notary Seal or Seal Required

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



84467 Tom Springs-

BLM is protesting this application on the following grounds:

Approval of this application is not within the public interest. BLM claims a PWR 107 at the proposed source. Existing uses under this federally reserved claim include providing water for livestock grazing, domestic uses associated with recreation, and provisions for wildlife and riparian vegetation.

While the applicant has grazing permits, the applicant is applying to use water outside of the permitted use on the allotment. Applicant is applying for use from 3/1 to 11/30. The applicant is only permitted within the specific pastures that Tom Spring and its associated reservoir are located in from 4/1 to 9/15 depending on the pasture involved. The applicant is applying to use water for 3.5 months during which they are not permitted to use the pasture for grazing. Through BLMs PWR 107 claim, the applicant has full use of water for grazing during their permitted use period.

The BLM reconstructed the Tom Spring site in 2008, which included adding two new 500-gallon troughs for off-site water of livestock, a new head box, and approximately 1,400 feet of fence to protect the site. All older materials were removed off the site. The project was required because the development which was originally built in 1982 was no longer functional. The site also would not have met BLM National Land Health Standards for riparian system functionality. The estimated cost of materials for the project is approximately \$15,000. Labor is estimated at more than \$20,000 to construct the project. The BLM has been maintaining the project and fencing.

RECEIVED
2014 DEC 26 AM 11:17
STATE ENGINEERS OFFICE