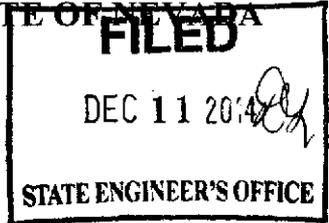


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA



IN THE MATTER OF APPLICATION NUMBER 84482
FILED BY Humboldt River Basin Water Authority
ON December 11, 20 14



PROTEST

STATE ENGINEER'S OFFICE

Comes now Humboldt River Basin Water Authority

Printed or typed name of protestant

whose post office address is P.O. Box 2008 Carson City, Nevada 89702

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

whose occupation is unit of local government

and protests the granting

of Application Number 84482

, filed on October 27

, 20 14

by Joseph C. Cumming and Kristi A. Cumming, Co-Trustees of the Joseph and Kristi Cumming Family Trust

for the

waters of an underground source

situated in Elko

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 proposed point of diversion is immediately proximate to Cottonwood Creek, the surface waters of which are fully appropriated under the Bartlett Decree. Production of groundwater from a well at the proposed point of diversion is likely to have an adverse impact upon the flow of Cottonwood Creek and to existing decreed surface water rights on Cottonwood Creek and other downstream water rights holders.

2. A review of well logs for other existing groundwater wells in the vicinity of the proposed point of diversion suggests that a seal in the proposed well casing to a typical depth of 50' may not afford protection to the surface flows of Cottonwood Creek.

(see Attachment A for continuation of Reasons and Grounds)

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

Mike Baughman, Executive Director

Printed or typed name, if agent

Address

P.O. Box 2008

Street No. or PO Box

Carson City, Nevada 89702

City, State and ZIP Code

State of Nevada

County of Carson City

Subscribed and sworn to before me on Dec 11, 2014

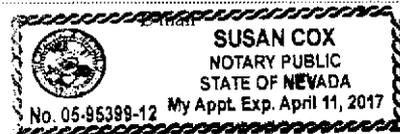
775-315-2544

Phone Number

by _____

mikebaughman@charter.net

STATE ENGINEER'S OFFICE
2014 DEC 11 PM 3:36
PROTESTED



[Handwritten signature: Susan Cox]
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.

**Continuation Sheet
Reasons and Grounds for Protest
Humboldt River Basin Water Authority
Protest to Application 84482
December 11, 2014**

3. It is noted that a review of the well log for the well at the existing point of diversion suggests that said well is sealed to a depth of 100'.
4. The proposed point of diversion is within a section of land within T30N, R56E which has been designated by the Nevada State Engineer through Order 865 as requiring special management pursuant to NRS 534 and accordingly, approval of Application 84482 and production of groundwater from a well at the proposed point of diversion may impair other existing groundwater rights.
5. The adverse impact upon the flow of Cottonwood Creek occasioned by the production of groundwater from a well at the proposed point of diversion is not in the public interest.

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