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

IN THE MATTER OF APPLICATION NUMBER 84823
FILED BY SBT10, LLC
ON February 10, 20 15

PROTEST

FILED
MAR 27 20
STATE ENGINEER'S OFFICE

Comes now Truckee Carson Irrigation District
Printed or typed name of protestant

whose post office address is P.O. Box 1356 Fallon, NV 89407-1356
Street No. or PO Box, City, State and ZIP Code

whose occupation is Irrigation District operations and protests the granting

of Application Number 84823, filed on February 10, 20 15

by SBT10, LLC for the

waters of Underground situated in Churchill
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 attached Exhibit A

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

Chris C. Mahannah, P.E., Agent
Printed or typed name, if agent

Address P.O. Box 2494
Street No. or PO Box

Reno, NV 89505
City, State and ZIP Code

(775) 323-1804
Phone Number

chris@mah2o.com
E-mail

State of Nevada
County of Washoe

Subscribed and sworn to before me on 3/25/15

by Chris Mahannah

JENNIFER CALHOUN
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 10-31-15
Certificate No: 99-35511-2

Signature of Notary Public Required

Notary Stamp or Seal Required

2015 MAR 27 AM 11: 21
STATE ENGINEERS OFFICE

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

Exhibit A

Protest Grounds for Application 84823

1. The application seeks a new appropriation for ground water in the Churchill Valley (Hydrographic Basin 102) which is severely over-appropriated. Perennial Yield estimates are 1,600 afa and the committed underground rights exceed 10,800 afa for Basin 102.
2. Water levels in basin 102 are declining based upon USGS monitoring.
3. Due to the close proximity of the proposed point of diversion to Lahontan Reservoir, pumping will 'Capture' Newlands Project Claim 3 surface water from which the applicant has no legal right to divert. The USGS water level monitoring has shown a hydrologic connection with wells in Basin 102 and the stage of Lahontan Reservoir.
4. State Engineer Order# 1207 prohibits this type of application and does not qualify for any of the 'Exceptions' provided for in the Order. Based on this Order alone, the State Engineer shall deny this application.
5. The State Engineer has denied similar applications seeking new underground appropriations in Basin 102 dating back to 1996 and the most recent denials in Ruling 5867 reaffirm this.

NRS § 533.365(4) provides that it is within the State Engineer's discretion to determine whether a public administrative hearing is necessary to address the merits of a protest to an application to appropriate the public waters of the State of Nevada. There is sufficient information contained within the records of the Office of the State Engineer to gain a full understanding of the issues and a hearing on these matters should not be required. The Protestant requests that a Ruling be issued without a hearing based on the foregoing grounds denying the application pursuant to NRS § 533.371 (3-6)

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