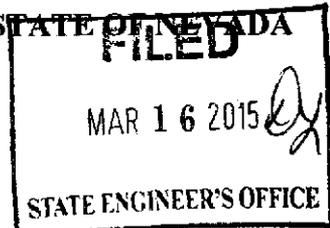


1 **IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA**

2 In the Matter of Application No. 84933-T
3 Filed By Granite Peak Properties, LC
4 on March 6, 2015

PROTEST



5 Comes now Second Big Springs Irrigation Co., whose post office address is P.O. Box 170,
6 Baker, Nevada 89311, whose occupation is ranching and farming, by and through its undersigned
7 attorneys of record, and hereby protests the granting of Application Number 84933-T, filed on
8 March 6, 2015 by Granite Peak Properties, LC ("Granite Peak"), for permission to change the
9 point of diversion and place of use of underground water, in the Snake Valley Basin (No. 195)
10 situated in White Pine County, State of Nevada, for the following reasons and on the following
11 grounds, to wit:

12 1. The application is one of twenty-seven (27) temporary change applications
13 (Application Nos. 84925-T through 84951-T) filed by Granite Peak on March 6, 2015, "to move
14 existing water right permits to existing production wells to provide water to existing crops within
15 the proposed place of use." See Item 15 in the application. The State Engineer should deny the
16 application and its 26 companion applications because the applications involve proposed points of
17 diversion (wells), proposed places of use, and an existing irrigation pipeline system that connects
18 all of the Applicant's existing wells together to irrigate lands in Nevada and Utah, which will
19 conflict with existing rights, create metering issues associated with the pipeline distribution system
20 that connects all the wells together, and because of the Applicant's history of irrigating
21 unauthorized lands (State Engineer Case No. AV-88 and 7th Jud. Dist. Court Case No. CV-14-
22 11139).

23 2. The application and its 26 companion applications should be denied because, as
24 demonstrated by the applicant's own evidence and the evidence of the protestants during the
25 February 2015 evidentiary hearing on pending Application Nos. 78795, 78796, 78797, 78800,
26 78803, 78804, 78805, 78806, 78807, 78810 and 84145-84168, pumping of groundwater under the
27 base permits of these 27 temporary applications has impacts on the local groundwater aquifer and
28 discharges from the groundwater to springs and streams which are the source of the protestant's
vested and other senior water rights. Furthermore, the proposed groundwater pumping under these
27 temporary applications is similar to the proposed pumping under the applications at issue in the
February 2015 evidentiary hearing, and the applicant's own evidence and that of the protestants in
that hearing demonstrates that the proposed pumping will have further and additional adverse
impacts on the local groundwater aquifer and the springs and streams to which the groundwater is
tributary, which will impact and conflict with the protestant's vested and other senior water rights.

For example, the Applicant's Exhibit No. 54 admitted at the February 2015 hearing, at
page 20, admits that under a conservative pumping analysis the base permits for these temporary
applications result in aquifer decline of approximately 0.7 feet at the *furthest* location of Dearden
Springs from the area of groundwater pumping; and the proposed pumping analyzed in that
exhibit, which is similar to the proposed pumping requested in these 27 temporary applications,
would result in an approximate 1.7 foot lowering of the groundwater aquifer at that same location.
Notwithstanding numerous problems with the applicant's modeling that produced these results,
which problems were exposed during the course of the week-long hearing, the results of the
applicant's analyses on page 20 of Exhibit No. 54, and other analysis in that same exhibit shows
potentially greater impacts to the aquifer.

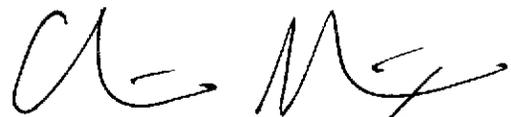
Approval of these 27 temporary applications by the State Engineer would adversely impact
Lake Creek (aka Big Springs Creek), and its contributing sources, including Big Springs, Dearden
Springs, and other tributary sources, and therefore would conflict with the Protestant's existing
vested and other senior water rights in Nevada and Utah. The Protestant's senior water rights in

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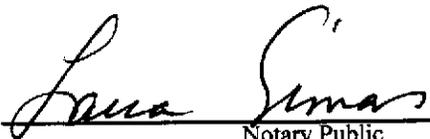
THEREFORE this Protestant requests that the above-referenced application and its 26 companion applications be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Respectfully submitted,

**WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP**

By: 

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Agents for Protestant


Notary Public

State of Nevada
County of Washoe

Subscribed and sworn to before me this 16th day of March, 2015.

