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

IN THE MATTER OF APPLICATION NUMBER 85263
FILED BY Rodney St. Clair
ON June 25, 20 15

PROTEST

FILED
AUG 31 2015
STATE ENGINEER'S OFFICE

Comes now Humboldt County (Nevada)
Printed or typed name of protestant

whose post office address is 50 West Fifth Street, Winnemucca, Nevada 89445
Street No. or PO Box, City, State and ZIP Code

whose occupation is county government and protests the granting

of Application Number 85263, filed on June 25, 20 15

by Rodney St. Clair for the

waters of underground (Double Hot Springs Well) situated in Humboldt
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:

Please see attached statement of reasons

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 Garley Amos
Agent or protestant

Garley Amos
Printed or typed name, if agent

Address 50 West Fifth Street
Street No. or PO Box

Winnemucca, Nevada 89445
City, State and ZIP Code

775-623-6300
Phone Number

administrator@hcnv.us
E-mail

RECEIVED
2015 AUG 31 PM 12:20
STATE ENGINEERS OFFICE

State of Nevada
County of Humboldt

Subscribed and sworn to before me on Aug 27 2015

by Garley Amos Jr.

T. SPERO
Notary Public - State of Nevada
Appointment Recorded in Humboldt County
No: 94-1226-9 - Expires January 6, 2018

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.

Attachment to Humboldt County Protest to Application Numbers 85263 and 85264

The applications are located on private land in-holdings within the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (Black Rock NCA). In addition, the Mud Meadows Basin (026) is in a critical part of Humboldt County that supports multiple use on many fronts.

The perennial yield for basin 026 is 13,000 AFA. According to the basin summary report, 5,759 AFA of underground water rights have already been permitted within the basin. The combined duty of the two water rights applications is 14,241, which is 7,000 AFA over the perennial yield.

Approval to pump 14,421 AFA could potentially draw down the water table within the basin drying up springs located on public lands within the Black Rock NCA and impacting associated riparian habitats. Hydrogeologic interactions between the local geothermal aquifers and the basin fill aquifer are not well understood. Studies conducted by the USGS suggest that thermal systems within the Black Rock NCA are recharged locally, possibly through basin fill sediments or along faults. Studies also indicate that there are several distinct geothermal systems within the area which are possibly hydraulically connected. Pumping of groundwater, either in the basin-fill or in a geothermal aquifer, could result in impacts to springs within the Black Rock NCA.

Currently, it is difficult to manage this and other basins with respect to the current Wild Horse and Burro HMA over usage. While cattlemen are constantly working with the BLM to manage these grazing areas by moving cattle and protecting water sources, very little has been done to the additional burdens that large herds of Horses and Burros are having on these sensitive water sources as these animals are growing and the water supply has dwindled due to the drought conditions.

The Black Rock NCA Resource Management Plan (RMP) was signed in 2004 and outlines measures for the long-term protection and management of the NCA. The plan did recognize the potential future need of utility rights-of-way to private lands and identified the following management standards:

- "LAND-2: Access to private lands and valid existing rights outside wilderness may be authorized by granting rights-of-way that provide for the reasonable use and enjoyment of private lands by their owners while minimizing impacts on resources."
- "LAND-3: No new utility corridors will be established in the planning area."
- "LAND-5: Utility rights-of-way may be granted outside of Wilderness where in conformance with visual quality objectives and the NCA Act."
- -LAND-6: Permanent above-ground facilities will not be allowed on the 105,546 acre playa of the Black Rock Desert."

If these water permits applications are approved, a potential utility right-of-way, to convey water, of this magnitude, along with other ancillary facilities, could cause a visual intrusion to the NCA. The surrounding public lands areas in proximity to the proposed well locations are identified in the Black Rock NCA RMP, through the visual resource management process, as Class II. Class II areas would be managed 'to retain the existing character of the landscape. The level of change to the characteristic landscape should be low. Management activities may be seen, but should not attract the attention of the casual observer. Any changes must repeat the basic elements for form, line, color, and texture found in the predominant natural features of the characteristic landscape.

Finally, Humboldt County will lose this precious resource, which can never be replenished in any form, since the water will be transferred to another basin, further eroding the natural process by which basins regenerate.

RECEIVED
2015 AUG 31 PM 12: 20
STATE ENGINEERS OFFICE