

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



FILED
AUG 25 2015
STATE ENGINEER'S OFFICE

PROTEST

Comes now John DeLong
Printed or typed name of protestant
whose post office address is 4005 South Bottle Creek Road Winnemucca, Nevada 89445
Street No. or PO Box, City, State and ZIP Code
whose occupation is Rancher and protests the granting
of Application Number 85263, filed on June 25, 20 15

by Rodney St. Clair for the
waters of Underground source 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 Attachment 1

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 Sam E. Monteleone
Agent or protestant,
Printed or typed name, if agent
Address 2426 Haida Court
Street No. or PO Box
Reno, Nevada 89506-9118
City, State and ZIP Code
Subscribed and sworn to before me on Aug 25, 2015
775-843-4419
Phone Number
by Sam E. Monteleone
oldnevadanwater@gmail.com
E-mail

State of Nevada
County of Carson City
Subscribed and sworn to before me on
by Sam E. Monteleone

Susan Cox
Signature of Notary Public Required

SUSAN COX
NOTARY PUBLIC
STATE OF NEVADA
No. 05-95399-12 My Appt. Exp. April 11, 2017
Notary Stamp or Seal Required

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

ATTACHMENT 1

The Protestant of this Application owns several water rights in the neighboring Black Rock Desert Hydrographic basin and is concerned that a water withdrawal of the magnitude proposed under Application 85263 would eventually cause irreparable damage to their land and water right holdings. The proposed manner of use threatens to prove detrimental to the public interest (NRS 533.371 (6)). This Application seeks to appropriate water from Mud Meadows ground water basin and transfer it to other basins (interbasin transfer), approximately 100 airline miles to the south. The Applicant did not cite a specific "Project" for utilizing water for this Application. The Applicant is not an Entity authorized to divert water, nor does he have the wherewithal to construct a pipeline of sufficient size and length to move 7,000 (or 14,000+) acre-feet of water over the distance to the Proposed Place of Use. Please refer to NRS 533.370 1 (c), (1) and (2), 2 and 3 (a), (b), (c), (d) & (e). Under NRS 533.370 4 (h), the Applicant does not have authorized entry permission from governmental agencies to move water via pipeline across public lands. Because the Point of Diversion of Application 85263 lies within the Black Rock National Conservation area, special use permits may be required from the U. S. Bureau of Land Management or other governmental agencies before approval of this Application. All Statutes under NRS 533.364 must be strictly followed. In addition, if this Application is approved, it should be subject to all the provisions under NRS 533.438.

The approval of Application 85263 and subsequent pipeline building activities would cause irreparable damage to the Black Rock desert and its hydrology and ecology.

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