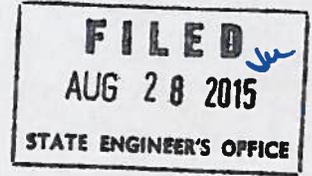


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 85356
FILED BY Duncan Family 2002 Trust
ON July 28th, 20 15



PROTEST



Comes now Lovelock Meadows Water District

whose post office address is PO Box 1021
whose occupation is Public Water System
of Application Number 85356, filed on July 28th, 20 15
by Duncan Family 2002 Trust
waters of Underground Source situated in Pershing
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 Page

THEREFORE the Protestant requests that the application be Denied
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed [Signature]
Agent or protestant

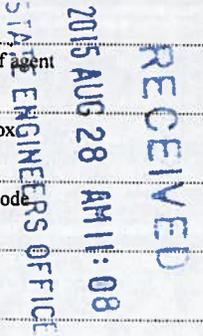
Lennard Alkire, District Manager
Printed or typed name, if agent

Address PO Box 1021
Lovelock, Nevada 89419
Street No. or PO Box
City, State and ZIP Code

State of Nevada
County of Pershing

Subscribed and sworn to before me on Aug 25, 2015
by Lennard Alkire

775-273-2387
lalkire@cityoflovelock.com
Phone Number
E-mail



[Signature]
Signature of Notary Public Required



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

Attachment to Protest #85356

The appropriation of water in Nevada is governed by statute which authorizes and requires the State Engineer to regulate such appropriations. Under NRS 533.370(3), the State Engineer must deny applications where there is no un-appropriated water in the proposed source or when the proposed use conflicts with existing rights or is detrimental to the public interest.

- 1) Currently LMWD has wells located in the Oreana Basin. Measurement of these wells shows a continued loss of static and operational levels. This can be attributed to the drought which is adversely affecting the available recharge. This has and will continue to cause the need for expansion of production area and generates increasing production costs to the consumers we provide services to. This must be minimized at all opportunities.
- 2) The District understands the issue surrounding the over allocation of rights within basins 73, 73A, & 72. It is proving to become a much larger issue and jeopardizes the economics of the communities that live there. Municipalities must continue to hold priority and protection for the availability of water, especially where rights are existent but must remain unused to guarantee the ability for growth. The basins aforementioned hold the greatest feasibility for the district to provide water to the consumers we currently and expect to have in the future. To exhaust the available recharge in any of these basins caps growth and requires the District to seek out very expensive alternative sources of water. LMWD uses 80% of the water granted to them within basin 73A and will reach 100% in the near future. LMWD is currently seeking sources of water from basins 72 to be able to keep up the anticipated demand that will occur upon the system.
- 3) LMWD also understands that currently Duncan Family 2002 Trust holds rights within these basins and requests a point of diversion change. This change if granted would begin to condense the area of which water is diverted. LMWD plans expansion north of our existing well fields and would request that application #85356 also be denied upon the grounds that a congregation of users would prove detrimental to the aquifer and the specific area of recharge that LMWD operates within.

Lovelock Meadows Water District expresses a deep concern that application #85356 by Duncan Family 2002 Trust would cause a significant impact up Duncan Family 2002 Trust on the Districts ability to guarantee water for our consumers at an acceptable price. This application is detrimental to public interest and must be denied.

In accordance with the statute and argument aforementioned, Lovelock Meadows Water District submits this attachment to protest in opposition of the application #85356 by Duncan Family 2002 Trust and asks that the application be Denied.

RECEIVED
2015 AUG 28 AM 11:08
STATE ENGINEER'S OFFICE

