

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

IN THE MATTER OF APPLICATION NUMBER 85879
FILED BY Park Ranch Holdings, LLC
ON January 22, 2016

FILED
MAR 14 2016
PROTEST
STATE ENGINEER'S OFFICE

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Comes now Frank Settlemeyer North LLC, a Nevada limited liability company
whose post office address is P.O. Box 523, Glenbrook, Nevada 89413
whose occupation is owning and operating a cattle ranch and related facilities and protests the granting
of Application Number 85879, filed on January 22, 2016
by Park Ranch Holdings, LLC, a Nevada limited liability company for the
waters of East Fork of the Carson River situated in Douglas
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:

- 1. Application nos. 85878, 85879, 85880, 85881 jointly seek to change the Carson River Diversion for approximately 517 acres of irrigation. The Williams Slough does not have the capacity to handle such a large additional amount of water.
2. The Applicant's priorities under Claims 428 and 430 of the Carson River Decree have an 1858 priority. The earliest priority on the Williams Slough currently is 1859. The effect of the proposed changes is to put over 500 acres of new lands to be irrigated from the Williams Slough with the same or earlier priority upstream of the Protestant's decreed lands. This will adversely impact existing rights, and be detrimental to numerous downstream decreed owners. The Williams Slough not having any further capacity means that other water rights holders on the Williams Slough would suffer from a severely diminished, if not entirely eliminated, water supply at their takeouts, except possibly during the highest river flows.
3. The Applicant has no right to divert water from the Williams Slough under the Carson River Decree, and permanent changes to the Decree should not be considered without a thorough and careful review of all possible ramifications. Applicant should focus on getting its decreed diversions corrected to match the manner by which the Applicant has been taking its water for the last 40+ years.
4. Applicant proposes major changes to the water distribution without any discussion, explanation or notice to the affected Williams Slough owners.
5. The applicant has not demonstrated any legal right to utilize the Williams Slough.
6. Although the Williams Slough crosses the Applicant's property, the Applicant has not historically participated in the maintenance of the ditch or the diversion in the Carson River. Last year, Applicant provided some rock for maintenance of the diversion dam in the Carson River to help protect Applicant's ability to receive water under Temporary Permits which were issued without input from the Williams Slough decreed water rights holders.

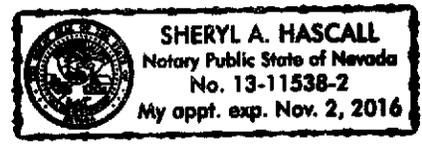
THEREFORE the Protestant requests that the application be DENIED
Denied, issued subject to prior rights, etc., as the case may be

and that an order be entered for such relief as the State Engineer deems just and proper.

Signed [Signature]
Agent or protestant
Severin A. Carlson - agent
Printed or typed name, if agent
Address Kaempfer Crowell, 50 West Liberty Street, Suite 700
Street No. or PO Box
Reno, Nevada 89501
City, State and ZIP Code
775.852.3900
Phone Number
scarlson@kcnvlaw.com
E-mail

State of Nevada
County of Washoe
Subscribed and sworn to before me on March 9, 2016
by Severin A. Carlson

[Signature]
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.