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

IN THE MATTER OF APPLICATION NUMBER 85902
FILED BY Rodney St. Clair
ON January 29, 20 16

PROTEST

FILED
APR 07 2016
STATE ENGINEER'S OFFICE

Comes now David Von Seggern, Chair, Toiyabe Chapter, Sierra Club
Printed or typed name of protestant

whose post office address is P. O. Box 8096, Reno, Nevada 89523
Street No. or PO Box, City, State and ZIP Code

whose occupation is retired and protests the granting

of Application Number 85902, filed on January 28, 20 16

by Rodney St. Clair for the

waters of well BR-02 situated in Pershing County
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:

This application 85902, and the associated application 85901, are revised versions of applications 84429 and 84430, made in 2014 and 85263 and 85264, made in 2015. The only difference is that the applicant has indicated "Municipal" as the beneficial use. There is no detail that would suggest there is a need for the water to be conveyed from the sources. These applications again are based on pure speculation which is illegal under Nevada law. The application in conjunction with the associated application (85901) exceeds the maximum amount of unappropriated water at the source. Use of the water under the proposed application would prove detrimental to the public interest in that it would remove water from a National Conservation Area (NCA), which are public lands, degrading the NCA and public enjoyment of such by negatively impacting wild lands and wildlife resources for which the NCA was established. The proposed action is not environmentally sound as several threatened or endangered species are dependent on the surface waters of nearby springs.

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 David von Seggern
Agent or protestant

David Von Seggern
Printed or typed name, if agent

Address P. O. Box 8096
Street No. or PO Box

Reno, Nevada 89523
City, State and ZIP Code

775-303-8461
Phone Number

vonseg1@sbcglobal.net
E-mail

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State of Nevada
County of Washoe

Subscribed and sworn to before me on 3/28/2016

by Susie M Arrate

Signature of Notary Public Required

SUSIE M. ARRATE
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-56334-2 - Expires June 13, 2019
Notary Stamp or Seal Required

+ $30 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.