

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

FILED
JUL 01 2016
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 86158
FILED BY Kobeh Valley Ranch LLC
ON April 27, 2016



PROTEST

Comes now Etcheverry Family Limited Partnership
Printed or typed name of protestant
whose post office address is 7933 Calloway Drive, Bakersfield CA 93314
Street No. or PO Box, City, State and ZIP Code
whose occupation is Ranching and protests the granting
of Application Number 86158, filed on April 27, 2016
by Kobeh Valley Ranch LLC (c/o General Moly, Inc.) for the
waters of an underground source situated in Eureka
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 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.

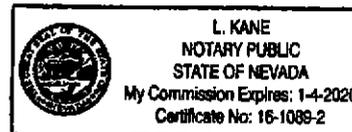
Signed [Signature]
Agent or protestant
Therese A. Ure
Printed or typed name, if agent
Address 440 Marsh Avenue
Street No. or PO Box
Reno, Nevada 89509
City, State and ZIP Code
(775) 786-8800
Phone Number
counsel@water-law.com
E-mail

State of Nevada
County of Washoe

Subscribed and sworn to before me on June 30, 2016
by Lisa Kane

[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.

In the Matter of Application Numbers 86157, 86158, 86159, 86160 and 86161 (Protest)

Attachment 1: Protest Grounds

1. There is no water available as Kobeh Valley is a designated basin pursuant to State Engineer Order 816, and there is no unappropriated water left in the affected area per NRS 534.110(3), NRS 533.370(2).
2. The Applications¹ proposed points of diversion will conflict with existing rights and/or protectable interests.
3. The Applications' proposed use will cause injury, conflicts, impacts and impairment to domestic and irrigation wells, as well as water rights of use.
4. If granted, the water use proposed in the Applications will cause an unreasonable lowering of the static water level at appropriators' points of diversion.
5. Granting the uses of these Applications will cause an unreasonable lowering of the water table.
6. The Applications are deficient because works are not adequately described to determine the overall impact on human health, stock and domestic animals, and environmental detriment.
7. If the Applications are permitted, the Permits must contain express conditions to ensure existing appropriations will be satisfied.
8. There is no water available from the proposed sources of supply without exceeding the perennial yield established for the basin.
9. The applicant has not established that it has the financial ability to construct the works, 10 applications were filed, each estimating \$3,000,000 to complete construction of works.
10. If granted, the Applications will prove detrimental to the public interest.
11. If granted, the Applications will prove detrimental on economic grounds.
12. If granted, the Applications will conflict with the protectable interests in existing domestic wells located in the Kobeh Valley Basin.

¹ The use of "Applications" herein refers to Applications 86157, 86158, 86159, 86160 and 86161 unless otherwise and specifically stated.

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13. If granted, the Applications will adversely affect the cost of water use for other holders of water in the Kobeh Valley hydrographic basin, and surrounding basins, including the likelihood of increased pumping from lowered water table access depths.
14. The Applications' proposed points of diversion and duties may result in loss of recharge to the aquifer, thereby impacting underground water right holders.
15. Kobeh Valley provides recharge to Diamond Valley, therefore Diamond Valley will be adversely affected as well.
16. There is no geologic data or hydrologic evidence that the quantity of water requested in the Applications exists in the mine region.
17. The Applications violate the anti-speculation doctrine by stating that the Applications will be withdrawn if other Applications subject to State Engineer Ruling 6127 are deemed reopened.
18. The Applications propose that water will be conveyed to a storage reservoir thereby subjecting the acquirer to greater risk of contamination, a reduction in recharge, and greater evaporation and water loss to the aquifer.

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