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

IN THE MATTER OF APPLICATION NUMBER 89360
FILED BY Carol St. Clair & Grant St. Clair
ON December 9, 20 19

PROTEST

FILED
FEB 11 2020
STATE ENGINEER'S OFFICE

Comes now Humboldt River Basin Water Authority
Printed or typed name of protestant

whose post office address is 400 Bunker Hill Drive, Carson City, NV 89703
Street No. or PO Box, City, State and ZIP Code

whose occupation is Regional Government and protests the granting

of Application Number 89360, filed on December 9, 20 19

by Carol St. Clair & Grant St. Clair for the

waters of Underground Source situated in Washoe
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 refer to attached Exhibit "A"

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 Jeffrey Fontaine
Agent or protestant

Jeffrey Fontaine
Printed or typed name, if agent

Address 400 Bunker Hill Drive
Street No. or PO Box

Carson City, NV 89703
City, State and ZIP Code

775-443-7667
Phone Number

ccjfontaine@gmail.com
E-mail

State of Nevada
County of Carson City

Subscribed and sworn to before me on Feb 11, 2020

by Jeffrey Fontaine
Print name of Permittee or Protestant signing form

BRENDA ALBERTSON
NOTARY PUBLIC
STATE OF NEVADA
No. 18-2298-3 My Appt. Exp. April 30, 2022

Brenda Albertson
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.

Exhibit "A"

Protest to Application 89357 to 89361

Black Rock Desert Applications 89358 to 89361

In aggregate, Applications 89358 through 89361 are to appropriate 20,000 acre-feet per year of underground water from Black Rock Desert Hydrographic Basin (28). There is no unappropriated water available in Basin 28 and on September 5, 2013 the State Engineer issued Order 1229 designating Basin 28 as needing additional administration. These four applications along with application 89357 which seeks to appropriate 1500 acre-feet per year of underground water from Mud Meadows Hydrographic Basin (24) make up a project to export water to the Reno Tahoe Industrial Park and the Silver Springs Mutual Water Company service area through an interbasin and intercounty transfer. Application 89358 through 89361 should be denied for the following reasons:

- The Applications conflict with existing rights and protectable interests in the existing domestic wells.
- The Applicant has not provided proof of if its financial ability and reasonable expectation to construct the works and apply the water to beneficial use.
- The Appropriation proposed by the Applicant threatens to prove detrimental to the public interest.
- The Applicant has not demonstrated that it is feasible to operate a system that relies on pumping groundwater 24 hours per day, 365 days per year.

Mud Meadows Application 89357

Application 89357 is to appropriate 1500 acre-feet per year of underground water from Mud Meadows Hydrographic Basin (26) which exceeds its perennial yield. In aggregate, Application 89357 and Applications 89358 through 89361 which seek to appropriate 20,000 acre-feet per year of underground water from Black Rock Desert Hydrographic Basin (28) make up a project to export water to the Reno Tahoe Industrial Park and the Silver Springs Mutual Water Company service area through an interbasin and intercounty transfer. The Humboldt River Basin Water Authority has filed protests to Applications 89358 through 89361 and is requesting that the State Engineer deny them based on the following:

- The Applications conflict with existing rights and protectable interests in the existing domestic wells.
- The Applicant has not provided proof of if its financial ability and reasonable expectation to construct the works and apply the water to beneficial use.
- The Appropriation proposed by the Applicant threatens to prove detrimental to the public interest.
- The Applicant has not demonstrated that it is feasible to operate a system that relies on pumping groundwater 24 hours per day, 365 days per year.

If the four applications from Black Rock Desert are denied, exportation of water under application 89357 will not be financially feasible.