

Rafter Lazy C Ranch  
Callao 225 Pony Express Rd.  
Wendover, Utah 84083

October 5, 2010

Mr. Jason King, Nevada State Engineer  
Division of Water Resources  
901 South Stewart St. Suite 2002  
Carson City, Nevada 89701

Dear Mr. King,

While we were not original protestants to the SNWA applications, the Nevada State Engineer did grant Callao Irrigation Company, of which we are a part, the right to protest as “interested persons”. The reason the SE made this ruling was that there was no notification of the applications made by SNWA in any of the Utah papers. We did, however, protest the refilings last year. These protests would have given our ranch a greater voice as protestants. We therefore believe that any further notice of hearings should definitely be posted in the local counties most likely to be adversely impacted by this inter-basin transfer of water.

The Rafter Lazy C Ranch is a cow/calf operation in the West Desert of Utah. Growing our own hay for our cattle and selling the excess hay on the open market necessitates our presence on the ranch during all of the summer months. The hearing period, as proposed, will occur during the most important time of the year in our operation. The quality and quantity of good hay is most certainly affected by proper attention at the times of growing and of harvesting. Poor hay brings poor prices. We urgently request that a later date in the year be considered for the hearing process.

As we understand it, the Nevada state statutes do not allow for duplicate filings for water. We further understand that the statutes do not prevent the SE from consolidating the original and recently filed applications, and that the SE has a wide latitude to do so. To do this consolidation would greatly simplify and reduce the time and valuable resources necessary to hold these hearings. If the proposed consolidation does take place, the issue of the new protests and the protest application fees becomes a moot point. However, if the consolidation does not take place, the issue of protestants having to pay twice without refunding part of the fees smacks of extortion and is most certainly by anyone’s measure of fairness unjust.

The issue of holding hearings in Carson City without any broadcast via the Internet also puts an excessive burden on the protestants. We encourage the SE's office to make every effort to broadcast the hearings. It would be ideal if remote sites were also set up to take testimony as was done in the previous hearings.

Incidentally, frugality and the constant necessity of making ends meet on a small desert ranch are with us always. So the SE's office is not alone in their present inadequacies of resources with which to operate. Once again, it is unfair and unjust to place such a burden as is now proposed on the protestants.

We thank you and applaud your efforts to include our concerns in conducting this most important issue.

Very sincerely,

Cecil and Annette Garland  
Callao, Utah