

**EXHIBIT 12**

State Water Resources Control Board  
DIVISION OF WATER RIGHTS  
P. O. Box 2000, Sacramento, CA 95810  
(916) 657-2170

STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
SACRAMENTO  
29977  
1993 MAR 22 PM 3:19

# PROTEST

Based on Environmental Considerations, Public Interest, Public Trust, and Other Issues.  
Protests based on injury to vested rights should be completed on other side of form.

APPLICATION 29977

1. I, (We) City and County of San Francisco  
of City Hall, Room 287, San Francisco, CA 94102 (415) 554-7316, have read carefully a copy  
of, or a notice relative to Application 29977 of G. Scott Fahey  
to appropriate from Cottonwood and Deadwood Springs  
at a point SE 1/4 of SE 1/4 of Section 16, T2N, R17E, MDB&M, and NW 1/4 of SE 1/4 of Section 16, T2N,  
Describe location of applicant's point of diversion R17E, MDB&M.

2. I, (We) protest the above application because:

(1) ENVIRONMENTAL ISSUES, ETC.:

The appropriation will not best conserve the public interest, will have an adverse environmental impact and/or will adversely affect a public trust use of a navigable waterway

- (a) Public interest protests should clearly indicate how the appropriation will affect the public.
  - (b) Environmental protests should identify specific impacts and provide supporting recitals on issues such as: plants, animals or fish affected, erosion, pollution, aesthetics, etc.
  - (c) Public trust protests must identify the navigable waters to be affected and how the project will impact public trust values.\*
- Protests of a general nature (not project specific) or opposed to constitutional or legislated state policy will not be accepted. A request for information or for studies to be conducted is not a protest.

(2) OTHER ISSUES:

The appropriation will be contrary to law, will require access rights, will not be in the Board's jurisdiction, or concerns other issues.

Facts and, if applicable, points of law which support the foregoing allegations are as follows: The appropriation involves an exchange agreement with the Modesto & Turlock Irrigation Districts whereby groundwater will be pumped by the applicant during the season that the water source has been declared fully appropriated. It appears from the application that the pumpage would occur in an area that the irrigation districts claim to be already overdrafted. There may be other adverse effects on the public trust that are not ascertainable from the limited information listed on the face of the application.

3. Under what conditions may this protest be disregarded and dismissed? Investigation of groundwater overdraft in the area of proposed pumping; the applicant should provide sufficient information on the proposed project to make a determination of potential adverse environmental impacts.

4. A true copy of this protest has been served upon the applicant By mail  Personally or by mail

\*For the purpose of filing a protest, navigable waters include streams and lakes that may be seasonally navigable in small recreational watercraft.

DATE March 16, 1993

Attach supplemental sheets as necessary.

NOTE: Protests must be filed within the time specified in the notice of application.

Anson Moran  
Protestant(s), or authorized representative sign here  
Anson Moran, Acting GM, FUC  
Type or print name and title of representative, if applicable  
Room 287, City Hall  
Street Address  
San Francisco, CA 94102  
City and State  
(415) 554-7316  
Telephone

*accepted  
3/22/93 ygm*