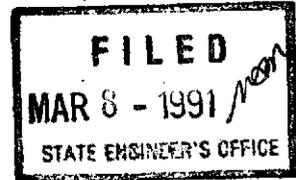


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA



IN THE MATTER OF APPLICATION NUMBER 55289,
FILED BY Mesquite City
ON 18 Sep, 1990, TO APPROPRIATE THE
WATERS OF Lincoln County, State of Nv.

PROTEST

Comes now Kenneth B Newby
Printed or typed name of protestant
whose post office address is 517 Belmont Dr. St. George Utah 84770
Street No. or P.O. Box, City, State and Zip Code
whose occupation is Rancher, and protests the granting
of Application Number 55289, filed on September 18, 1990
by City of Mesquite
Printed or typed name of applicant
waters of Under ground source
Underground or name of stream, lake, spring or other source situated in Lincoln County

County, State of Nevada, for the following reasons and on the following grounds, to wit:

That the proposed POD lies within the same water basin as the present
(well, spring, seep, water source or development).

That the loss of this water could cause a rancher to lose his livestock, his
income, his ranch and his way of life.

That diversion and exproation of this water would lower the static water level,
adversely affect the quality and quantity of remaining ground water which provides
water and habitat critical to the survival of wildlife, grazing livestock, and
other surface existing laws.

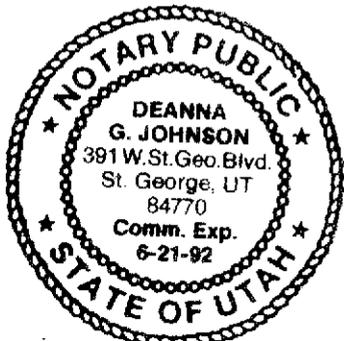
THEREFORE the protestant requests that the application be Denied
(Denied, issued subject to prior rights, etc., as the case may be)

and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Kenneth B Newby
Agent or protestant

Printed or typed name, if agent
Address 517 Belmont Dr
Street No. or P.O. Box No.
St. George, Utah 84770
City, State and Zip Code No.

Subscribed and sworn to before me this 4 day of MARCH, 1991.



Deanna G. Johnson
Notary Public

State of UTAH
County of WASHINGTON

**\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.**

ok CB