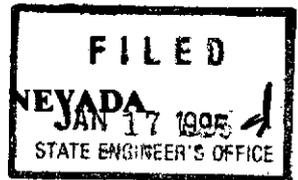


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA



IN THE MATTER OF APPLICATION NUMBER 59962, U.S. Fish & Wildlife Service FILED BY of Portland State of Oregon ON April 12 1994, TO APPROPRIATE THE WATERS OF Spring No. 114

PROTEST of Board of County Commissioners, County of Elko, State of Nevada

Comes now GEORGE R.E. BOUCHER, FOR THE BOARD OF COUNTY COMMISSIONERS

whose post office address is 569 COURT STREET, ELKO, NEVADA 89801

whose occupation is COUNTY MANAGER, and protests the granting

of Application Number 59962, filed on April 12, 1994

by U.S. FISH & WILDLIFE SERVICE OF PORTLAND STATE OF OREGON to appropriate the

waters of Spring No. 114 situated in Elko

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

The Board of County Commissioners protest the abovenoted application relating to the Ruby Lake National Wildlife Refuge on the grounds the Shanty Town development is not being considered, grazing rights have not been considered, and Elko County water usage has not been determined to the beneficial use for all of the Elko County citizens.

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

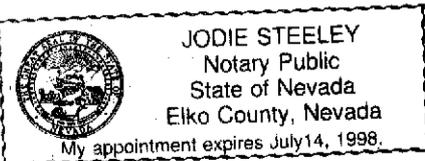
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed George R.E. Boucher GEORGE R.E. BOUCHER

Address 569 COURT STREET ELKO, NEVADA 89801

Subscribed and sworn to before me this 12th day of January 1995

Jodie Steeley Notary Public NEVADA ELKO



\$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE. ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.