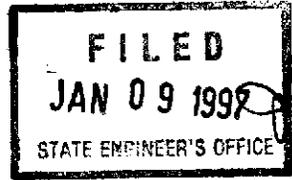


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

In the Matter of Application Number 62439
Filed By U.S. Fish & Wildlife Service
On September 4, 1996, To Appropriate The
Waters Of ~~certificate 9159~~ Underground



Comes Now Lincoln County Commissioners in behalf of their electorate

Whose post office address is Post Office Box 90 Pioche, Nevada 89043

whose occupation is County Government? Administration, and protests the granting

of Application Number 62439, filed on September 4, 1996

by U.S. Fish & Wildlife Service to appropriate the

waters of ~~certificate 9159~~ underground situated in Pahranagat Valley, Lincoln

Underground or name of stream, lake, spring or other source

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

The proposed Change of Use is unnecessary and will not enhance beneficial uses of the water. The water is proposed to be used for agricultural uses by watering habitat which is agricultural in nature. The proposed use change will adversely affect the economy of surrounding land and water rights holders if federal supremacy clause and reserve water right regulation are invoked. This would disregard prior rights in favor of wildlife uses and be a negative impact upon the economic base of the community. The service has proposed recovery plans that are opposed by the community due to adverse impact upon them which the service has disregarded. This appears to be a way to circumvent federal laws requiring them to address community concerns
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 as relief as the State Engineer deems just and proper.

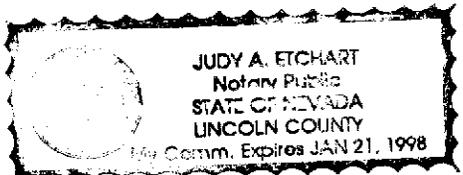
Signed Edward Wright
Agent or Protestant

Edward Wright, Chairman Lincoln County Commission
Printed or typed name, if agent

Address Post Office Box 90
Street No. Or P.O. Box No.

Pioche, Nevada 89043
City, State and Zip Code No.

Subscribed and sworn to before me this 6th day of January, 19 97



Judy A. Etchart
Notary Public

State Of Nevada

County Of Lincoln

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

She