

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

FILED
AUG 2 - 2000
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 65944
FILED BY Moapa Band of Paiutes
ON January 28 2000
WATERS OF an underground source

PROTEST

Comes now Dry Lake Water Company LLC, by and through Frank McRae
whose post office address is 2701 N. Tenaya Way, Suite 200, Las Vegas, NV 89128
whose occupation is Chief Operating Officer of Dry Lake Water Company LLC and protests the granting
of Application Number 65944, filed on January 28, 2000
by Moapa Band of Paiutes to appropriate the
waters of an underground source situated in Clark

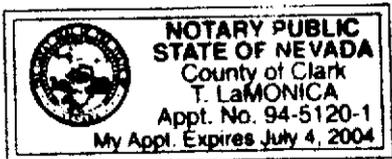
County, State of Nevada, for the following reasons and on the following grounds, to wit:
Dry Lake Water Company LLC owns water rights with points of diversion within Black Mountain Basin #215, and is advancing pending appropriation applications in Basin 210, 215, 216, 217, and 218. Diversions under Applications 65944-65949 and 65954-65955, combined with existing and pending appropriations, would exceed the perennial yield of Basin 218. As there is no unappropriated water at the source after accounting for existing permits and pending applications to appropriate, this Application threatens to prove detrimental to the public interest. The Application further conflicts with existing rights and applications in Basin 218 and surrounding basins. Finally, the Application does not satisfy NRS 533.360 or 533.370. Because the Las Vegas Division of Water Resources' files are not complete and up to date, Protestant reserves the right to amend and supplement this protest as necessary.

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 Frank McRae
Address 2701 N. Tenaya Way, Suite 200
Las Vegas, NV 89012

Subscribed and sworn to before me this 2nd day of August 2000
Notary Public



State of Nevada
County of Clark

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