

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 65946
FILED BY Moapa Band of Paiutes
ON January 28, 2000, TO APPROPRIATE THE
WATERS OF an underground source

PROTEST

Comes now Dry Lake Water Company LLC, by and through Frank McRae

Printed or typed name of protestant

whose post office address is 2701 N. Tenaya Way, Suite 200, Las Vegas, NV 89128

Street No. or P.O. Box, City, State and Zip Code

whose occupation is Chief Operating Officer of Dry Lake Water Company LLC, and protests the granting

of Application Number 65946, filed on January 28, 2000

by Moapa Band of Paiutes

Printed or typed name of applicant

to appropriate the

waters of an underground source

Underground or name of stream, lake, spring or other 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

Agent or protestant

Address

2701 N. Tenaya Way, Suite 200

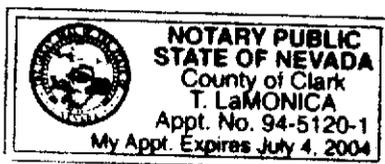
Printed or typed name, if agent

Street No. or P.O. Box No.

Las Vegas, NV 89012

City, State and Zip Code No.

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.