

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

FILED
SEP 14 2001
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 67683
FILED BY C. Punch, Inc.
ON June 18th, 2001, TO APPROPRIATE THE
WATERS OF Unnamed Spring #1

PROTEST

Comes now United States Department of the Interior, Bureau of Land Management
Winnemucca Field Office
whose post office address is 5100 East Winnemucca Blvd., Winnemucca, NV 89445
whose occupation is Federal Land Management Agency, and protests the granting
of Application Number 67683, filed on June 18th, 2001
by C. Punch, Inc.
waters of Unnamed Spring #1 situated in Pershing
County, State of Nevada, for the following reasons and on the following grounds, to wit:

See Attached Exhibit "A"

THEREFORE the protestant requests that the application be Denied
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Colin P. Christensen
Agent or protestant
Printed or typed name, if agent

Address Colin P. Christensen
5100 East Winnemucca Blvd.
Winnemucca, NV 89445

Subscribed and sworn to before me this 13th day of September, 2001

Brigitte Baslee
Notary Public

State of Nevada
County of Humboldt

Brigitte Lea Baslee
Notary Public - State of Nevada
Humboldt County
My appointment expires July 18, 2005
#01 - 69321 - 9

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

Exhibit A

The Bureau of Land Management seeks the denial of the following applications for the reasons cited:

Applications 67682 and 67683 were applied for by C. Punch Inc. on June 18, 2001. These applications were submitted along with a number of other applications, by C. Punch, for western Pershing county. Most of the applications were located on private land and were beyond the scope of the BLM's review. These two applications, however, are located on public land and are considered public water reserves (PWR) and not available for appropriation unless there is excess water beyond the requirements of the PWR..

The original intent of the public water reserve was to prevent the monopolization of public land by gaining control of the limited water sources. In this particular case, C. Punch Inc. has indicated their intent to control as many of the water sources as possible. Where these sources occur on private land, the Bureau of Land Management has opted not intervene. The remaining water sources on public land, therefore, become all the more important.

The points of diversion, as described in the applications, are located on the east side of the Selenite range in an area where the bulk of the spring sources are on private land. These sources are located in the Selenite Herd area, and as such, incidental use by wild horses can be expected. Finally, C Punch Inc. has not sought, nor have they received, authorization to develop these sources.