

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

FILED  
OCT 14 2002  
STATE ENGINEER'S OFFICE

In the Matter of Application Number 68808  
Filed By High Rock Holdings, LLC on  
May 13, 2002 to Appropriate Underground  
Waters of the State of Nevada

PROTEST

Comes now The Pyramid Lake Paiute Tribe of Indians, whose post office address is P.O. Box 256, Nixon, Nevada 89424, whose occupation is a federally recognized Tribe of Indians, the governing body of the Pyramid Lake Indian Reservation, organized pursuant to the Indian Reorganization Act of 1934, with a Constitution and By-laws approved by the Secretary of Interior, and protests the granting of Application Number 68808, filed on May 13, 2002 by High Rock Holdings, to appropriate underground waters of the State of Nevada situated in Washoe County, State of Nevada, for the following reasons and on the following grounds, to wit:

1. Granting the application would threaten to prove detrimental to the public interest.
2. Granting the application would conflict with the Pyramid Lake Paiute Tribe's reserved and other water rights, including the right to use the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation
3. Granting the application would conflict with other existing rights.
4. There is no remaining unappropriated water in Smoke Creek Desert Basin.

Signed: Robert S. Pelcyger  
Robert S. Pelcyger  
Fredericks, Pelcyger & Hester, LLC  
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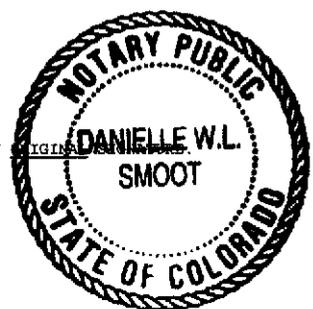
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Reno, NV 89509  
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Attorneys for the Pyramid Lake  
Paiute Tribe of Indians

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Subscribed and sworn to before me this 11th day of October 2002  
Danielle W.L. Smoot  
Notary Public  
State of Colorado  
County of Boulder

My Commission Expires:  
03/08/06



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

My Commission Expires March 8, 2006