

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

IN THE MATTER OF APPLICATION NUMBER 68810  
FILED BY High Rock Holdings, LLC  
ON May 13, 2002, TO APPROPRIATE THE  
WATERS OF underground from Basin #21

PROTEST

FILED  
AUG 14 2002  
STATE ENGINEER'S OFFICE

Comes now Deep Hole, LLC  
whose post office address is 955 W. Moana Lane, Reno, NV 89509  
whose occupation is ranching, and protests the granting  
of Application Number 68810, filed on May 13, 2002  
by High Rock Holdings, LLC to appropriate the  
waters of underground situated in Washoe  
County, State of Nevada, for the following reasons and on the following grounds, to wit:

See Attachment to Protest.

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.

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Signed Robert W. Marshall, agent  
Address P.O. Box 2790  
Reno, NV 89505

Subscribed and sworn to before me this 14th day of August, 2002  
Charlene M. Fumarol  
State of Nevada  
County of Carson

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

### Attachment to Protest

Protestant is the owner of vested artesian underground water rights and water rights to springs as well as permitted underground water rights, all within Basin 21 (Smoke Creek Desert).

The above application is protested on the following grounds:

1. Based on existing and pending applications, there is no unappropriated water in Basin 21; as a consequence, granting the above application will exceed the perennial or safe yield of Basin 21.
2. The above application, if granted, will conflict with existing and prior rights.
3. The point of diversion described in the above application will interfere with protestant's prior and existing rights.
4. The granting of the above application will be detrimental to the public interest.

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