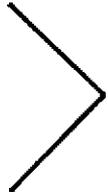


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 69840  
FILED BY Jill Leslie Oswalt  
ON April 10, 2003, TO APPROPRIATE THE  
WATERS OF Ackler Creek



PROTEST

**FILED**  
**OCT 28 2003**  
STATE ENGINEER'S OFFICE

Comes now James D. Currivan and Theresa L. Currivan

Printed or typed name of protestant

whose post office address is Starr Valley Route Box 97, Deeth, Nevada 89823

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

whose occupation is Rancher and protests the granting

of Application Number 69840, filed on April 10, 2003

by Jill Leslie Oswalt to appropriate the

waters of Ackler Creek situated in Elko, Nevada

Underground or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

The application is to change the point of diversion of an existing vested water right. The new point of diversion coincides with that used by the Protestant and the head gate used by the Protestant. In addition, a pipeline and collection box placed in the ditch by Jill Oswalt without our permission, which carries water from the applied place of diversion interferes with Protestant's use of that ditch.

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.

RECEIVED  
68 NOV -3 PM 1:13  
STATE ENGINEER'S OFFICE

Signed James D. Currivan  
Agent or protestant

JAMES D. CURRIVAN  
Printed or typed name, if agent

Address STARR VALLEY ROUTE, BOX 97  
Street No. or P.O. Box No.

DEETH, NV 89823  
City, State and Zip Code No.

Subscribed and sworn to before me this 28<sup>th</sup> day of October, 2003

Peggy J. Kincaid  
Notary Public

State of Nevada

County of EIKO

  
**PEGGY J. KINCAID**  
NOTARY PUBLIC • STATE of NEVADA  
Elko County • Nevada  
CERTIFICATE # 03-79776-6  
APPT. EXP. JAN. 24, 2007