

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

IN THE MATTER OF APPLICATION NUMBER 70013
FILED BY Michael Maestri
ON 8th day of May, 2003, TO APPROPRIATE THE
WATERS OF Grayson Spring



FILED
OCT 15 2003
STATE ENGINEER'S OFFICE

PROTEST

Comes now U.S.D.I. Bureau of Land Management, Winnemucca Field Office
Printed or typed name of protestant
whose post office address is 5100 East Winnemucca Blvd., Winnemucca, NV 89445
Street No. Or P.O. Box, City, State and Zip Code
whose occupation is Federal Land Management Agency and protests the granting
of Application Number 70013, filed on the 8th day of May, 2003
by Michael Maestri to appropriate the
waters of Grayson Spring situated in Pershing
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:

Please refer to Exhibit A

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 Les Boni
Agent or protestant

Les Boni, Assistant Field Manager
Printed or typed name, if agent

Address 5100 East Winnemucca Blvd.
Street No. or P.O. Box No.

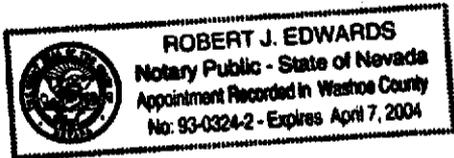
Winnemucca, NV 89445
City, State and Zip Code No.

Subscribed and sworn to before me this 14th day of October, 2003

Notary Public

State of Nevada

County of Humboldt



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

STATE ENGINEER'S OFFICE

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Exhibit A

Application 70013, as filed by Mr. Michael Maestri on May 08, 2003 for the waters of Grayson Spring, is wholly located on lands managed by the Bureau of Land Management, Winnemucca Field Office (WFO). The WFO does hereby protest the granting of this application on the following grounds:

1. Grayson Spring occurs in the South Rochester Allotment. This is a common use allotment, which Mr. Maestri shares with three other grazing permittees (Safford and Safford Land and Livestock Co., Frank and John Olagary, and Pleasant Valley Ranch Inc.). The granting of this application to a single entity would complicate the rangeland administration and subordinate the other parties with recognized grazing privileges for this area. There are no formal range line agreements delineating where each party grazes.
2. The waters of Grayson Spring are also located in the North Stillwater Wild Horse Herd Management Area (HMA). Grayson Spring represents an important source of water for this herd due to the lack of surface water throughout the area. A wild horse gather was recently completed in this area due to the drought and the resulting forage conditions surrounding the limited water sources. Restricting wild horse use at this source will further damage the rangeland resources at the few remaining sources.
3. Grayson Spring is a Public Water Reserve (PWR#107). The Nevada State Engineer was notified of this status on January 17, 1991. This notification is on file in the State Engineer's office under file number R05218. It is unlikely that Grayson Spring can provide enough water to satisfy the needs of the PWR and the .0279 cfs currently being requested.