

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

FILED
DEC 11 2003
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NO. 70285 FILED BY ROSS
AND ORMA MATHEWS 1990 FAMILY TRUST ON AUGUST 1,
2003, SEEKING TO APPROPRIATE PUBLIC WATERS OF THE
STATE OF NEVADA IN AND TO BEAVER DAM CREEK

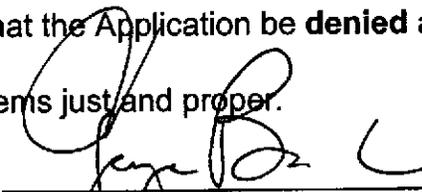
PROTEST

COMES NOW VIRGIN VALLEY WATER DISTRICT, whose Post Office address is 500
Riverside Road, Mesquite, Nevada 89027, whose occupation is a public water purveyor and
political subdivision of the State of Nevada, and protests the granting of Application No. 70285,
filed on August 1, 2003 by Ross & Orma Mathews 1990 Family Trust, which seeks to appropriate
5.56 cubic feet per second of public waters of the State of Nevada in and to Beaver Dam Creek
situated in Lincoln County, State of Nevada, for the following reasons and on the following
grounds, to wit:

1. The subject application should be denied on the ground that there is no unappropriated water in the proposed source.
2. The granting of the subject application will adversely impact existing rights, including, but not limited to, rights of this Protestant.
3. The granting of the subject application is not in the public interest in that, on information and belief, such approval will result in adverse impacts on various threatened and endangered species protected under State and Federal law.

THEFORE: 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:



GEORGE N. BENESCH
Agent for Protestant
9432 Double R Blvd., Suite B
Reno, Nevada 89521-5977
(775) 827-3100

STATE OF NEVADA)
COUNTY OF WASHOE) ss.

SUBSCRIBED and SWORN to before me this 10th day of December, 2003.

BETTY MELARKEY
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No 89-0049-2 - Expires March 10, 2006

Betty Melarkey
NOTARY PUBLIC