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

FILED
MAR 23 2004
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 70597,

FILED BY Bart Pearson.

ON November 06, 20 03, TO APPROPRIATE THE

WATERS OF unnamed underground source.

PROTEST

Comes now U.S.D.I. Bureau of Land Management
Printed or typed name of protestant

Whose post office address is HC 33, Box 33500, Ely, Nevada 89301
Street No. or P.O. Box, City State and Zip Code

Whose occupation is Public Lands Management, and protests the granting of

Application Number 70597, filed on November 06 **20 03,**

By Bart Pearson to appropriate the waters of unnamed underground source

situated in SE ¼ SW ¼ of Section 1, T1N, R67E, MDB&M, or at a point from which the NE corner of Section 1 bears N 29 deg 50 min 34 sec E a distance of 5363.67 feet.

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

See attached

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: [signature]
Agent or protestant

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

Gene Kolkman, AFM Renewable Resources

Address: HC 33, Box 33500, Ely, Nevada 89301

Subscribed and sworn before me this 18th day of March, 20 04

ALICIA HANKINS
NOTARY PUBLIC • STATE of NEVADA
White Pine County • Nevada
CERTIFICATE #03-82359-17
APPT EXP JUNE 12, 2007

[signature]
(Notary Public)

State of Nevada

County of White Pine

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STATE ENGINEER'S OFFICE

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Ely Field Office
HC 33 Box 33500
Ely, NV 89301-9408

ATTACHMENT FOR PROTEST OF APPLICATION 70597

1. The location of the underground water source in not located within reasonable proximity to private land.

2. A Desert Land Entry (DLE) application is not currently on file. If a DLE is filed, this protest will be reconsidered by the Bureau of Land Management (BLM).

3. There are perhaps unknown significant impacts to surface water resources and critical habitat of local wildlife, including sage grouse, elk, and pronghorn antelope.

4. The applicant currently does not have a cooperative agreement for this land use filed with BLM.

OCT 23 PM 12:18
STATE ENGINEERS OFFICE