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

FILED
JUN 24 2004
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 71063
FILED BY Blue Diamond Oil Corp.
ON April 16, 2004 TO APPROPRIATE THE
WATERS OF Underground

PROTEST

Comes now Dean Day, City of Ely Agent
Printed or typed name of protestant
whose post office address is 501 Mill Street, Ely, Nevada 89301
Street No. or P.O. Box, City, State and Zip Code
whose occupation is City Engineer, and protests the granting
of Application Number 71063 filed on April 16, 2004
by Blue Diamond Oil Corp. to appropriate the
Printed or typed name of applicant
waters of Underground situated in White Pine
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:
Steptoe Basin is over appropiated. The use conflicts with theCity of Ely's existing rights. THe use will be detrimental to the City of Ely by limiting growth of the City's water system; therefore, detrimental to the Public interest.

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
Dean Day, Agent
Printed or typed name, if agent
Address 501 Mill Street
Street No. or P.O. Box No.
Ely, Nevada 89301
City, State and Zip Code No.

Subscribed and sworn to before me this 17 day of June 2004
[signature]
Notary Public
State of Nevada
County of White Pine

JANETTE K. TRASK
Notary Public - State of Nevada
Appointment Recorded in White Pine County
No: 03-81711-17 Expires: May 13, 2007

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

10