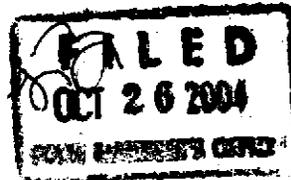


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 71225  
FILED BY Vidler Water Co.  
ON 8/16 04 TO APPROPRIATE THE  
WATERS OF Basin 163

PROTEST



Comes now Leonard C. Smith  
Printed or typed name of protestant

whose post office address is HCR 37 BOX 513, Sandy Valley, NV 89019  
Street No. or P.O. Box, City, State and Zip Code

whose occupation is Retired and protests the granting

of Application Number 71225, filed on 8/16/04

by Vidler Water Co. to appropriate the  
Printed or typed name of applicant

waters of SANDY-MESQUITE BASIN 163 situated in Clark  
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 State Engineer determined in Ruling 5132 that there are no more water rights available in this basin. In that ruling, the State Engineer created over 700 afa of paper water to accommodate Vidler's inter-basin transfer request and to have sufficient water rights to protect the basin's future water needs. We feel there is not enough water to satisfy Vidler's request.

THEREFORE the protestant requests that the application be Denial  
(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.

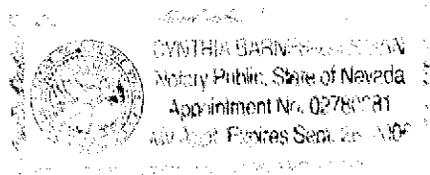
Signed Leonard C. Smith  
Agent or protestant  
Leonard C. Smith  
Printed or typed name, if agent

Address HCR 37 BOX 513  
Street No. or P.O. Box No.  
Sandy Valley, NV 89019  
City, State and Zip Code No.

Subscribed and sworn to before me this 23<sup>rd</sup> day of September, 2004

Cynthia Buser Buser  
Notary Public

State of Nevada  
County of Clark



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