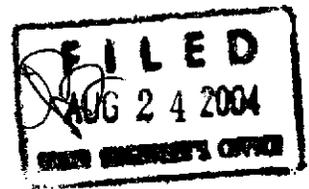


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 71268
FILED BY Randy Venturacci
ON June 3, 2004, TO APPROPRIATE THE
WATERS OF Dry Valley Creek and Tributaries



PROTEST



Comes now LW Land Company, LLC, c/o Brad Capurro & Brian Murphy members
Printed or typed name of protestant
whose post office address is P. O. Box 2670, Reno, NV 89505
Street No. Or P.O. Box, City, State and Zip Code.
whose occupation is Owner and protests the granting
of Application Number 71268, filed on June 3, 2004
by Randy Venturacci, Applicant to appropriate the
waters of Dry Valley Creek and Tributaries situated in Washoe
Underground or name of stream, lake, spring or other source

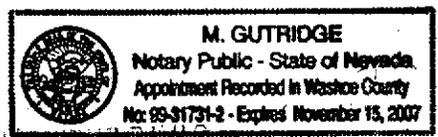
County, State of Nevada, for the following reasons and on the following grounds, to wit:
The Nevada State Engineer's office, Division of Water Resources, has determined the Warm Springs Basin as designated and has previously denied new appropriations for irrigation use by Ruling No. 2478.
The State Engineer's office indicates a perennial yield of 3000 acre feet annually for this basin.
The Basin Abstract for Warm Springs shows 7300 +/- acre feet annually of committed water rights at the present time. Therefore, this protest is being filed to prevent further over appropriation of the basin.

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 Suzan L. Ferguson
Agent or protestant
Suzan L. Ferguson, Agent
Printed or typed name, if agent

Address 5405 Mae Anne Avenue
Street No. or P.O. Box No.
Reno, Nevada 89523
City, State and Zip Code No.

Subscribed and sworn to before me this 23 day of August, 2004
M. Guttridge
Notary Public
State of Nevada
County of Washoe



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