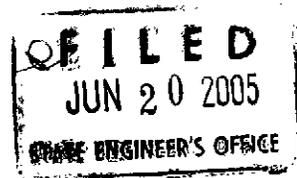


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 72296,  
FILED BY TUFFY RANCA PROPERTIES, LLC,  
ON MARCH 4, 2005, TO APPROPRIATE THE  
WATERS OF STATE OF NEVADA

PROTEST



Comes now JO ANNE GARRETT  
Printed or typed name of protestant

whose post office address is Box 130 BAKER, NEVADA 89311  
Street No. or P.O. Box. City, State and Zip Code

whose occupation is CONCERNED CITIZEN, and protests the granting

of Application Number 72296, filed on MARCH 4, 2005

by TUFFY RANCA PROPERTIES, LLC  
Printed or typed name of applicant to appropriate the

waters of UNDERGROUND SOURCES situated in LINCOLN  
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:

SEE ATTACHED DESCRIPTION (ONE PAGE)

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.

RECEIVED  
JUN 20 AM 11:49  
ENGINEERS OFFICE

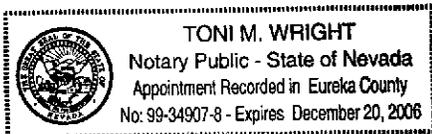
Signed Jo Anne Garrett  
Agent or protestant

JO ANNE GARRETT  
Printed or typed name, if agent

Address P O Box 130  
Street No. or P.O. Box No.  
BAKER, NEVADA 89311  
City, State and Zip Code No.

Subscribed and sworn to before me this 16TH day of JUNE, 2005

Toni M. Wright  
Notary Public



State of Nevada

County of Eureka

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

*e*

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

IN THE MATTER OF APPLICATION NUMBER 72296 )  
FILED BY TUFFY RANCH PROPERTIES, LLC OF SPARKS, ) **PROTEST**  
NEVADA, ON MARCH 4, 2005, TO APPROPRIATE )  
THE WATERS OF THE STATE OF NEVADA )

Comes now Jo Anne Garrett whose post office address is Box 130, Baker, Nevada 89311, whose occupation is concerned citizen, and protests the granting of Application number 72296 filed on March 4, 2005, by Tuffy Ranch Properties, LLC of Sparks, Nevada, to appropriate the waters of an underground source situated in Lincoln County, State of Nevada, for the following reasons and on the following grounds:

This Application is the first of 54 applications, numbers 72296 through 72349, to change the manner of use and place of use of waters heretofore appropriated. Applicant seeks to change the manner of use from agricultural to municipal, and to transfer the water from Lake Valley in northern Lincoln County to Coyote Springs Valley, a distance of over 100 miles.

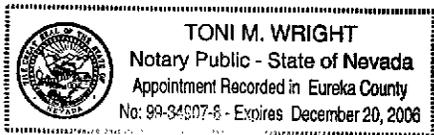
No municipality exists in the vicinity of this appropriation, and applicant does not possess a right of way to transfer the water. The amount of water he proposes to transfer is far in excess of the amount applicant has stated he will require to develop his land in CoyoteSprings Valley. Applicant has other water rights near the proposed place of use. Applicant has stated that he will not use his own water to develop this property, but will buy water from Lincoln County Water District. Lincoln County Water District is in the process of developing adequate water in the Coyote Springs area to serve applicant's projected development. For all these reasons the applications must be considered speculative, and not within State guidelines.

The quantity of water applied for is more than is available. The applications are not in the public interest, and would be harmful to other water rights holders and to the environment and socio-economic conditions of the basin of origin. Transfer of agricultural water out of the basin would reduce recharge to the aquifer. The basin is designated fully appropriated by the state. Transfer of the water would negatively affect the hydrologic balance. Effects to the environment would include loss of springs and riparian areas, affecting wildlife and plant communities. Water transfers would impact neighboring ranchers, including those in White Pine County to the north. Municipalities like the town of Pioche would suffer from loss of water supply. Socio-economic impacts would result from the loss of agriculture in both counties, as well as from the loss of a rapidly expanding tourism and recreation industry in White Pine County.

THEREFORE 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.

*Jo Anne Garrett*

SUBSCRIBED and Sworn to before me this 16th day of June, 2005.



*Toni M. Wright*  
NOTARY PUBLIC