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

IN THE MATTER OF APPLICATION NUMBER 72449,

FILED BY AQUA TRAC, LLC **PROTEST**

ON APRIL 4, 20 05, TO APPROPRIATE THE

WATERS OF UNDERGROUND

FILED
JUN 24 2005
STATE ENGINEER'S OFFICE

Comes now Washoe County
Printed or typed name of protestant

whose post office address is 4930 Energy Way, Reno, NV 89502-4106
Street No. or P.O. Box, City, State, and Zip Code

whose occupation is a political subdivision of the State of Nevada, and protests the granting

of Application Number 72449, filed on APRIL 4, 20 05,

by AQUA TRAC, LLC to appropriate the

waters of underground 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:

Please refer to attached Exhibit "A".

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
Agent or Protestant

Vahid Behmaram, Water Rights Supervisor
Printed or typed name, if agent

Address Washoe County Dept. of Water Resources
Street No. or P.O. Box No.

4930 Energy Way, Reno, NV 89502-4106
City, State, and Zip Code No.

Subscribed and sworn to before me this 22nd day of JUNE, 20 05.

LaVONNE SCHEFFLER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-39223-2 - Expires January 10, 2008

Notary Public

State of Nevada

County of Washoe

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

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EXHIBIT "A"

Application's 72441, 72449, 72451, 72452 & 72453

The above referenced applications propose to appropriate groundwater from Lemmon Valley East and West Hydrographic Basins. USGS Reconnaissance Report #43 and subsequent studies have estimated the total combined perennial yield of these basins to be 1,500 acre-feet. Preliminary data from the State Engineer's Office indicates existing appropriations of approximately 3,300 acre-feet annually.

Furthermore, there are in excess of 2,000 individual domestic wells located within these basins, which are in addition to the existing appropriations of water rights in these basins.

Additionally, the State Engineer issued a Notice of Moratorium, Order #388, dated May 18, 1971 against issuance of anymore groundwater appropriations in the East Lemmon Valley Basin.

Therefore, Washoe County requests denial of these applications in accordance with NRS 533.370-4 based on:

1) There is no un-appropriated water in the source,
2) Granting of the applications would conflict with existing rights,
3) and could pose detrimental to public interest