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

IN THE MATTER OF APPLICATION NUMBER 72457,

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 72457, 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.

EXHIBIT "A"

Application's 72454 through 72462

The above referenced applications propose to appropriate groundwater from the Warm Springs Groundwater Basin. USGS Reconnaissance Report #43 and subsequent studies by Washoe County have estimated the perennial yield of this basin at 3,000 acre-feet. State records indicate existing permits and certificates total close to 7,000 acre-feet.

The State Engineer pumpage inventory for the year 2000 indicates a total withdrawal of approximately 5,000 acre-feet, which includes pumpage from domestic wells.

Therefore, based on the foregoing:

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