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

IN THE MATTER OF APPLICATION NUMBER.....**72466**.....,

FILED BY.....**AQUA TRAC, LLC**.....,

ON.....**APRIL 4**., 2005...., TO APPROPRIATE THE

WATERS OF .....**UNDERGROUND**.....

} PROTEST

FILED
JUL 01 2005
STATE ENGINEER'S OFFICE

Comes now.....**United States Department of Interior, Bureau of Land Management, Winnemucca Field Office**.....
Printed or typed name of protestant

whose post office address is.....**5100 East Winnemucca Blvd, Winnemucca, NV 89445** .....
Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is ....**Federal Land Management Agency**..... and protests the granting

of Application Number .....**72466**....., filed on .....**April 4**....., 2005.....

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:

The point of diversion specified in this application is located on, or immediately adjacent to, public land. To date the applicant has not sought, nor have they received, authorization from the Bureau of Land Management to conduct these activities on public land. Aqua Trac LLC has cumulatively filed numerous water right applications in this same vicinity for a large volume of water. The Bureau of Land Management is concerned that these applications are speculative in nature, and if granted, there may be significant impacts to public land. These impacts could include: loss of scarce surface water resources (including Public Water Reserves), loss or degradation of previously granted appropriative rights held by the Bureau of Land Management and degradation of wildlife and wild horse habitat. In the event that these applications are not speculative then Aqua Trac, LLC will be required to apply for and be granted a right-of-way for their transmission line(s) and infrastructure.

THEREFORE the Protestant requests that the application be **Denied, pending further information and action**..... .....
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
05 JUL -1 AM 11:40
STATE ENGINEER'S OFFICE

Signed .....Roger T. Byron.....**Acting for**.....
Agent or protestant

.....**Gail G. Givens Field Manager**.....
Printed or typed name, if agent

Address.....**5100 East Winnemucca Blvd** .....
Street No. or P.O. Box No.

.....**Winnemucca, NV 89445** .....
City, State and Zip Code No.

Subscribed and sworn to before me this .29th.....day of.....June....., 20.05.....

.....
Notary Public

ROBERT J. EDWARDS
Notary Public - State of Nevada
Appointment Recorded in Humboldt County
No: 93-0324-9 - Expires March 18, 2008

State of.....**Nevada** .....

County of .....**Humboldt** .....

$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN <u>ORIGINAL</u> SIGNATURE.