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

IN THE MATTER OF APPLICATION NUMBER.....72769.....,

FILED BY.....JACK RABBIT PROPERTIES, LLC.....,

ON.....MAY 12.....2005....., TO APPROPRIATE THE

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

} PROTEST

FILED
NOV 15 2005
STATE ENGINEER'S OFFICE

Comes now.....John Espil Sheep Co.....
Printed or typed name of protestant

whose post office address is.....P.O. Box N, Susanville, California 96130.....
Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is .....Ranching..... and protests the granting

of Application Number 7276
9....., filed on .....May 12....., 2005.....

by .....Jack Rabbit Properties, 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:

.....See Exhibit "A" attached hereto and by this reference incorporated herrein.....

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.

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Signed ...Gordon H. DePaoli, agent...
Agent or protestant

.....Gordon H. DePaoli.....
Printed or typed name, if agent

Address.....P.O. Box 2311.....
Street No. or P.O. Box No.

.....Reno, Nevada 89505.....
City, State and Zip Code No.

Subscribed and sworn to before me this .....15th.....day of.....November....., 2005.....

JOANNE McMASTER
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 93-3411-2 - Expires May 10, 2009

...Joanne McMaster...
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 NO. 72769

1. There is no unappropriated water in the proposed source of supply;

2. The proposed use will conflict with existing water rights, including without limitation, water rights held by the John Espil Sheep Co.;

3. The proposed use threatens to prove detrimental to the public interest;

4. The applicant has not provided proof of its intention in good faith to construct any work necessary to apply the water to the intended beneficial use with reasonable diligence, and of its financial ability and reasonable expectation actually to construct the work and apply the water to the intended beneficial use with reasonable diligence; and

5. The Protestant reserves the right to supplement this protest as additional information becomes available concerning Application No. 72769.

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