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

IN THE MATTER OF APPLICATION NUMBER 72813,

FILED BY AQUA TRAC, LLC **PROTEST**

ON MAY 20, 20 05, TO APPROPRIATE THE

WATERS OF UNDERGROUND

FILED
JUL 22 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 72813, filed on MAY 20, 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.

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Signed
~~Agent or Protestant~~

Vahid Behmaram, Water Rights Manager
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 19th day of JULY, 20 05.

Notary Public

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

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 72811 thru 72814

The above referenced applications propose to appropriate an unknown quantity of groundwater from the Dry Valley Basin. Permits 64977, 64978 and 66400 appropriate 3,000 acre-feet of groundwater from this basin. Pending application 66961 seeks an additional 2,000 acre-feet of groundwater from this basin. USGS Reconnaissance Report #43 estimates the perennial yield of this basin to be 1,000 acre-feet. More recent studies conducted by USGS have yielded similar estimates.

Therefore, based on the above, and in accordance with NRS 533.370-4 these applications should be denied based on:

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

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