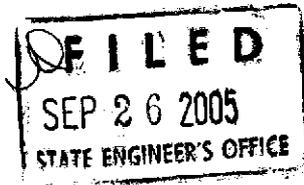


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 72909
FILED BY J.V. Properties, LLC
ON June 07, 2005, TO APPROPRIATE THE
WATERS OF Underground

PROTEST



Comes now Sandy Valley Public Water Preservation Association
Printed or typed name of protestant

whose post office address is HCR 37 Box 649, Sandy Valley, NV 89019
Street No. or P.O. Box, City, State and Zip Code

whose occupation is _____, and protests the granting

of Application Number 72909, filed on June 7, 2005

by J.V. Properties, LLC
Printed or typed name of applicant to appropriate the

waters of Underground situated in CLARK
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 see Attached

THEREFORE the protestant requests that the application be _____
(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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SEP 26 2005

STATE ENGINEER'S OFFICE

Signed John H. Bacher
Agent or protestant

John H. Bacher President & Agent
Printed or typed name, if agent

Address HCR 37 Box 649
Street No. or P.O. Box No.

Sandy Valley, NV 89019
City, State and Zip Code No.

Subscribed and sworn to before me this 23 day of September, 05

Kay Searle
Notary Public

State of Nevada

County of Clark



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

[Handwritten mark]

Protest of Water Application 72909, Original & All Other Amendments

Application Number 72909, filed on June 7, 2005, requesting 5.0 cubic feet per second for municipal purposes by JV Properties, LLC. This Application is in excess of the public water that the State Engineer set aside for future growth in his Ruling 5132 in 2002 on Basin 163.

JV Properties does not own all of the land in Sandy / Mesquite Valley, therefore, they cannot claim they're place of use is " All of the Mesquite (Sandy) Valley Hydrographic Basin (163)." Mesquite Valley Hydrographic Basin is in two States. Regarding NRS 533.035 Beneficial Use, this application is questionable.

The maps filed with Permit # 66227, for the point of diversion to transfer water to another basin, and Application # 71225, for proposed place of use, was for the entire Basin 163. Both maps were submitted by a different party other than this applicant. Protests from land owners have been and are part of the State Engineers records for the Permit 66227 and Application 71225. Compliance with NRS 533.350 is not meet

NRS 533.330 states that there can only be one source and one use per application (except domestic use) regarding this application and NRS 533.045 "Right to divert ceases when necessity for use does not exist" as in the case of Permit 66227.

This is an illegal speculative water application and an attempt to hoard water (see item 2 & 12 of the application).

We request this application be DENIED by the State Engineer WITHOUT A HEARING OR ANY FURTHER CONSIDERATION.

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SEP 26 2005

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