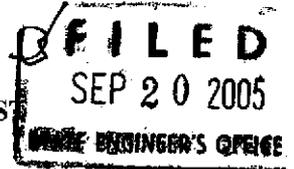


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 72996  
FILED BY BLM  
ON July 7, 2005, TO APPROPRIATE THE  
WATERS OF Elephant Head #8



PROTEST



Comes now Mickey Yarbro, Chairman, on behalf of Lander County Board of Commissioners  
whose post office address is 315 South Humboldt Street, Battle Mountain, NV 89820  
whose occupation is County government administration and protests the granting  
of Application Number 72996, filed on July 7, 2005  
by Bureau of Land Management to appropriate the  
waters of Elephant Head #8 situated in Lander County

County, State of Nevada, for the following reasons and on the following grounds, to wit:  
Lander County protests BLM's application for appropriation of the public waters of Lander County.  
The application seeks to appropriate water for wildlife purposes. Lander County asserts that the BLM  
application is inappropriate because Nevada Revised Statutes require the State Engineer to ensure that  
water from spring sources customarily utilized by wildlife remain available for wildlife. See NRS  
535.367. Because the State Engineer is required to ensure that wildlife have access to spring and seep  
water, there is no reason for the BLM to seek water appropriation as requested through this application.

Denied

THEREFORE the Protestant requests that the application be  
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Mickey Yarbro  
Agent or protestant  
Mickey Yarbro, Chairman  
Printed or typed name, if agent  
Address 315 South Humboldt Street  
Battle Mountain, NV 89820

Subscribed and sworn to before me this 20th day of September, 2005



JANALEE M. MURRAY  
NOTARY PUBLIC  
STATE OF NEVADA  
Date Appointment Exp: 04-24-2008  
Certificate No: 94-4761-1

Janalee M. Murray  
Notary Public  
Nevada  
State of  
Lander  
County of

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

*Handwritten mark*