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

IN THE MATTER OF APPLICATION NUMBER 72998,
FILED BY BLM,
ON July 7, 20 05, TO APPROPRIATE THE
WATERS OF Cotton Basin Spring

PROTEST

RECEIVED
SEP 20 2005
STATE ENGINEER'S OFFICE

Comes now Mickey Yarbro, Chairman, on behalf of Lander County Board of Commissioners
(Printed or typed name of protestant)
whose post office address is 315 South Humboldt Street, Battle Mountain, NV 89820
(Street No. Or P.O. Box, City, State and Zip Code)
whose occupation is County government administration and protests the granting
of Application Number 72998, filed on July 7, 20 05
by Bureau of Land Management to appropriate the
waters of Cotton Basin Spring situated in Lander County
(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:

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.

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.

Signed Mickey Yarbro
(Agent or protestant)

Mickey Yarbro, Chairman
(Printed or typed name, if agent)

Address 315 South Humboldt Street
(Street No. or P.O. Box No.)

Battle Mountain, NV 89820
(City, State and Zip Code No.)

Subscribed and sworn to before me this 20th day of September, 20 05

JANALEE M. MURRAY
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 04-24-2008
Certificate No:94-4751-1

Janalee M. Murray
(Notary Public)

State of Nevada

County of Lander

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