

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



IN THE MATTER OF APPLICATION NUMBER 73201,
FILED BY STEWART-NEVADA ENTERPRISES, LLC.,
ON 31 AUGUST 2005, TO APPROPRIATE THE WATERS OF BASIN
209, PAHRANAGAT VALLEY

} PROTEST

Comes now Bret Whipple, whose post office address is H.C.R. 61, Box 27, Hiko, Nevada 89017, and whose occupation is president of Whipple Cattle Company, which owns and operates ranches in Pahranaagat Valley, Lincoln County, Nevada, and which has the rights to and uses one-twelfth of the flow of Crystal Springs and two-thirds of the upper stream out of Ash Springs, and supports, by way of this protest, the granting of Application Number 73201 filed on 31 August 2005 (with corrected application filed 23 January 2006) by Stewart-Nevada Enterprises, LLC, to appropriate underground waters situated in Lincoln County, State of Nevada, for the following reasons and on the following grounds, to wit:

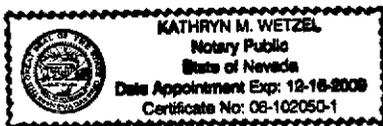
The pumping on Stewart's Hiko Ranch proposed by Application 73201 will not adversely affect the flow of Crystal Springs or Ash Springs or any rights in those flows. The Stewarts have been pumping at Hiko Ranch for more than 50 years without any adverse impact on Crystal Springs or Ash Springs.

THEREFORE the Protestant requests that the application be granted and that an order be entered for such relief, consistent with the granting of the application, as the State Engineer deems just and proper.

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STATE ENGINEER'S OFFICE

Signed _____
By: Bret Whipple, President, Whipple Cattle Company
Address: H.C.R. 61 - Box 27
Hiko, Nevada 89017

Subscribed and sworn to before me this 20th day of April, 2006.



Kathryn M. Wetzel
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.**

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LAS VEGAS OFFICE