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

FILED
JAN 13 2006
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION

NUMBER....73330.....,

FILED BY...LINCOLN COUNTY WATER DISTRICT AND

VIDLER WATER COMPANY, INC., ...,

ON...OCTOBER 11, 2005...., TO CHANGE THE PLACE OF USE OF

WATER SOUGHT TO BE APPROPRIATED

} PROTEST

Comes now.....TRIPLE AUGHT FOUNDATION .....
Printed or typed name of protestant

whose post office address is.....PO BOX 33, HIKO, NEVADA 89017 .....
Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is ..... and protests the granting

of Application Number .....73330....., filed on ....OCTOBER 11, 20.05....by ..LINCOLN COUNTY WATER DISTRICT AND VIDLER WATER COMPANY, INC., ..to change the place of use of waters of .....Underground source.....situated in .....Lincoln.....
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:

.....SEE ATTACHED SHEET .....

.....

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 .....
Agent or protestant

.....GEORGE N. BENESCH .....
Printed or typed name, if agent

Address.....190 W. HUFFAKER LANE, SUITE 408 .....
Street No. or P.O. Box No.

.....RENO, NV 89511 .....
City, State and Zip Code No.

Subscribed and sworn to before me this ..13th.....day of.....JANUARY ....., 2006.....

BETTY MELARKEY
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 89-0049-2 - Expires March 10, 2006

.....
Notary Public

State of.....NEVADA .....

County of .....WASHOE .....

+ $25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

Protest Grounds Applications Nos. 73329 and 73330

1. Upon information and belief the Applicant has not secured the necessary right-of-way to beneficially utilize the right sought to be changed and does not have the financial capability to beneficially utilize the subject right.

2. The subject application is an extension of a ploy to tie up all the unappropriated, underground water located in Lincoln County in an attempt to speculate on future development and use, which is not in the public interest. This application is an extension of the foregoing scheme.

3. This application and the proposed use conflicts with existing rights.

4. The subject application is inconsistent with the Bureau of Land Management's Ely Resource Management Plan and is therefore not in the public interest.