

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

IN THE MATTER OF APPLICATION NUMBER.....73388.....  
FILED BY.....AQUA TRAC, LLC.....  
ON...OCTOBER 25....., 20...05..., TO APPROPRIATE THE  
WATERS OF .....UNDERGROUND.....



PROTEST



Comes now.....Nevada Land and Resource Company, LLC.....  
Printed or typed name of protestant  
whose post office address is..... 704 W. Nye Lane, Suite 201.....  
Street No. Or P.O. Box, City, State and Zip Code.  
whose occupation is ..... and protests the granting  
of Application Number .....73388....., filed on .....October 25....., 20...05.....  
by .....Aqua Trac, LLC.....to appropriate the  
waters of .....Underground.....situated in .....Washoe.....  
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:

Application Numbers 73385 through 73388 were filed on October 25, 2005 for quasi-municipal use. The protestant, Nevada Land and Resource Company, LLC (NLRC) is the current owner of record of two certificated water rights in Winnemucca Lake Valley (05077 and 21954). Granting of any of Application Numbers 73385 through 73388 would unduly impair NLRC's senior rights. NLRC also owns several large tracts of land in Winnemucca Lake Valley and is concerned that exportation of water would inhibit future development in the area and neither would be an appropriate long term use of the water (NRS 533.370 (5.d)) nor would the exportation serve the best interests of the public (NRS 533.370 (4)). Aqua Trac, LLC does not control the property under which the proposed Points of Diversions of Application Numbers 73385 through 73388 are located. In fact, the Points of Diversion are within a section adjacent to the Points of Diversion of NLRC's existing rights and are adjacent to NLRC property. Furthermore, the locations of the Points of Diversion would require the applicant to secure rights of way or other property interests from NLRC in order to complete the works necessary for beneficial use. The protestant requests that the subject applications be denied.

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

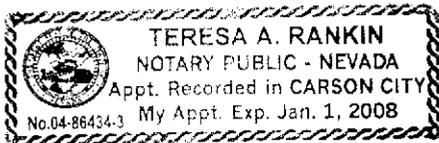
.....Jennifer Morgan.....  
Printed or typed name, if agent

Address.....704 W. Nye Lane, Suite 201.....  
Street No. or P.O. Box No.

.....Carson City, NV 89703.....  
City, State and Zip Code No.

Subscribed and sworn to before me this 26<sup>th</sup> day of .....January....., 20...06.....

.....  
Notary Public



State of.....Nevada.....

County of .....Carson City.....

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

**ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.**