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

FILED
JUN 01 2006
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION

NUMBER .....73672.....

FILED BY **Nevada Power Company and Sierra Pacific Power Company**

ON.....December 30, 2005.....TO APPROPRIATE THE

WATERS OF .....**an underground source**

} PROTEST

Come now.....**White Pine County** .....

whose post office address is .....**801 Clark Street, Suite #4....Ely, NV 89301** .....

whose occupation is .....**County Government** .....

of Application Number.....**73672** .....filed on .....**December 30** .....**2005** .....

by .....**Nevada Power Company and Sierra Pacific Power Company** .....to appropriate the

waters of.....**an underground source** .....situated in ...**White Pine County, State of Nevada** for the following

reasons and on the following grounds, to wit:

.....**Refer to Exhibit A** .....

.....

.....

.....

.....

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.

2006 JUN -1 PM 2:11

Signed.....John A. Chachas.....

.....John A. Chachas.....

Address.....801 Clark Street, Suite #4.....

.....Ely, NV 89301.....

Subscribed and sworn to before me this ....31st... day of ...May....., 2006.....

.....Donna M. Batle
~~Notary Public~~ WPC Clerk

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

County of .....**White Pine**.....

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

EXHIBIT A TO PROTEST

White Pine County protests the applications filed in Butte Valley by Nevada Power Company/Sierra Pacific Power Company, application numbers 73670 through 73676, on the grounds that the points of diversion are identical to the points of diversion on White Pine County's applications, 39612, 39613, and 39632 through 39635. The applications filed by Nevada Power/Sierra Pacific Power may be detrimental to White Pine County's applications and, at this time and at the locations identified, are not in the best interests of the public.

White Pine County filed its applications for power generation in Butte Valley to facilitate location of a coal fired electrical power plant that would generate jobs, business activity, and tax revenue for White Pine County and make electrical power available in Nevada. The County has an Interim Development Agreement with LS Power to make its water permits for power generation in Steptoe Valley available for development of the White Pine Energy Station. LS Power is working diligently and spending millions of dollars on the project's development and permitting processes.

The White Pine County Commission has stated publicly that it supports the Ely Energy Center proposed by Nevada Power Company/Sierra Pacific Power Company as a second power project in the County. The White Pine County Commission voted unanimously to protest the Nevada Power Company/Sierra Pacific Power Company applications in Butte Valley, 73670 through 73676. A decision to award permits at this time and on the points of diversion identified for the County's applications could have a negative impact on the development phase of the White Pine Energy Station, jeopardizing the jobs, business activity, and tax revenue it represents for the citizens of White Pine County.

The White Pine County Commission has publicly offered to work with the Sierra Pacific Power Company to assist with project development and to identify water resources that are not in conflict with the development of the White Pine Energy Station.

The Commission respectfully requests that the State Engineer exercise his statutory authority and deny the Applications 73670 through 73676 without an administrative hearing.

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