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

IN THE MATTER OF APPLICATION NUMBER....73957.....

FILED BY.....ELKO COUNTY.....

ON...MARCH 3..... 20.06... TO APPROPRIATE THE

WATERS OF.....Underground Source.....

PROTEST

FILED
JUL 2 6 2006
STATE ENGINEER'S OFFICE

Comes now....Dorsey Land, LLC.....
Printed or typed name of protestant

whose post office address is...PO Box 1133...Elko, NV 89803.....
Street No. Or P.O. Box, City, State and Zip Code.

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

of Application Number....73957..... filed on .....March 3 ..... 20.06.....

by .....Elko County.....to appropriate the

waters of .....underground source.....situated in ...Elko County, Nevada.....
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 Exhibit "A" attached here to and made a part here of.**

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...Dorsey Land, LLC.....

Lili A Wolf

Agent or protestant Printed or typed name, if agent

Address. PO Box 1133.....

Elko, NV 89803

775 758- 6405

RECEIVED
2006 JUL 26 PM 2:03
STATE ENGINEERS OFFICE

DONNA J. NELSON
NOTARY PUBLIC • STATE of NEVADA
Elko County • Nevada
CERTIFICATE # 04-93555-6
APPT. EXP. DEC. 16, 2008

Subscribed and sworn to before me this 25th day of July 20.06

Donna J Nelson
Notary Public

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

County of.....Elko.....

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

Dorsey Land, LLC - Protestant

Exhibit A to Protest # 73957

Reasons for protest

1. Portions of the place of use are on real property owned by the Protestant. This is a blatant disregard for private property rights. Elko County did not notify the private property owners and has not obtained Protestants consent to use its real property. The County needs to develop a policy that will ensure that private property owners are not deprived of their rights.

2. The appropriation would interfere with Protestant's prior underground rights and vested surface water rights under the Humboldt River Decree. With their being only a finite amount of water, large scale drilling will decrease the amount of surface irrigation water as well as lower the water table for prior established wells, streams, springs, seeps, etc. In prior rulings the state engineer denied various applications by stating, "Withdrawals of ground water in excess of the perennial yield contribute to adverse conditions such as water quality degradation, storage depletion, diminishing yield of wells, increased economic pumping lifts, land subsidence and possible reversal of ground water gradients which could result in significant changes in the recharge-discharge relationship." The same reasoning holds true with this application. As stated under NRS 533.370(5) the State Engineer is prohibited by law from granting an application to appropriate the public waters where the proposed use conflicts with existing rights.

3. Granting this application will impede private property owners' future opportunity to apply for the water rights for any possible uses such as domestic, stock water, irrigation, quasi-municipal, etc. on their property.

4. Under NRS 533.370(5) the State Engineer is prohibited by law from granting an application to appropriate the public waters where there is no unappropriated water at the proposed source. These basins are exceeding or will be exceeding the water yields if this application is approved.

5. This application's proposed use threatens to prove detrimental to the public interest.

6. This application's proposed use conflicts with protectible interests in existing domestic wells as set forth in NRS 533.024.

RECEIVED
2006 JUL 26 PM 2:03
STATE ENGINEERS OFFICE