

8. Granting the application would threaten to prove detrimental to the public interest for the reasons set forth above.

9. Granting the application would threaten to prove detrimental to the public interest in ways that are not yet known to this Protestant, but which may arise or first become known to this Protestant in the period between the date of filing of the Application and the hearing on the protested Application - by way of example Fernley's Application #57555 was filed on May 1, 1992, and the hearing was not held until February 6, 2006 - and in light of the position of the State Engineer that a specifically stated protest ground may not be amended regardless of the extensive passage of time between the date the protest is required to be filed, and the date of the hearing on a protested application.

10. The Pyramid Lake Paiute Tribe of Indians would be adversely affected if the above referenced application were granted because it would result in greater diversions of Truckee River water away from Pyramid Lake to the detriment of the threatened and endangered species inhabiting Pyramid Lake and the lower Truckee River.

WHEREFORE the Protestant requests that the above-referenced application be denied and that an order be entered for such relief as the State Engineer deems just and proper.

ROBERT C. MADDOX & ASSOCIATES

By: Alexandria Mason
(agent for Pyramid Lake Paiute Tribe)
Don Springmeyer, Esq. NV Bar No. 1021
Alexandria Mason, Esq. NV Bar No. 9388
3811 West Charleston Blvd., Suite 110
Las Vegas, Nevada 89102
Tel: (702) 366-1900

Subscribed and sworn to before me this 2nd day of June, 2006.

Debra Lockwood
Notary Public



State of Nevada

County of Washoe

My Commission Expires: 10-12-08

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