

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

IN THE MATTER OF APPLICATION NUMBER.....74407.....
FILED BY.....AQUA TRAC, LLC.....
ON.....JUNE 26...2006..... TO APPROPRIATE THE
WATERS OFUNDERGROUND.....

} PROTEST



Comes now.....United States Department of Interior, Bureau of Land Management, Winnemucca Field Office.....
Printed or typed name of protestant

whose post office address is.....5100 East Winnemucca Blvd, Winnemucca, NV 89445.....
Street No. Or P.O. Box, City, State and Zip Code.

whose occupation isFederal Land Management Agency..... and protests the granting
of Application Number74407....., filed onJUNE 26....., 2006.....

byAqua Trac, LLC.....to appropriate the
waters ofUNDERGROUND.....situated inPershing.....
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:

The point of diversion specified in this application is located on public land. To date the applicant has not sought, nor have they received, authorization from the Bureau of Land Management to conduct permanent activities on public land. Aqua Trac LLC has been authorized to conduct exploration activities only. Aqua Trac LLC has cumulatively filed numerous water right applications in this (and adjoining) basin(s) for a large volume of water. The Bureau of Land Management is concerned that these applications are speculative in nature, and if granted, there may be significant environmental impacts to public land. These impacts could include: loss of scarce surface water resources (including Public Water Reserves), loss or degradation of previously granted appropriative rights held by the Bureau of Land Management and degradation of: wildlife, wild horse and burro habitat. In the event that these applications are not speculative then Aqua Trac, LLC will be required to apply for and be granted a right-of-way for their transmission line(s) and infrastructure. The Bureau of Land Management is not directly opposed to this project per se, but believes that the granting of this application should be held in abeyance until such time that: the scope and areal extent of the impacts are better understood, and that the anticipated impacts can be mitigated.

THEREFORE the Protestant requests that the application be...Denied, pending further information and analysis.....
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.

RECEIVED
2006 AUG 17 AM 11:00
STATE ENGINEERS OFFICE

Signed Rodger T. Bryan.....
Agent or protestant

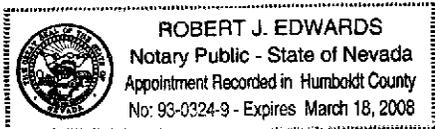
.....Rodger T. Bryan, Acting Field Manager.....
Printed or typed name, if agent

Address.....5100 East Winnemucca Blvd.....
Street No. or P.O. Box No.

.....Winnemucca, NV 89445.....
City, State and Zip Code No.

Subscribed and sworn to before me this16th, day of.....August, 2006.....

[Signature]
Notary Public



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

County ofHumboldt.....

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

[Handwritten mark]