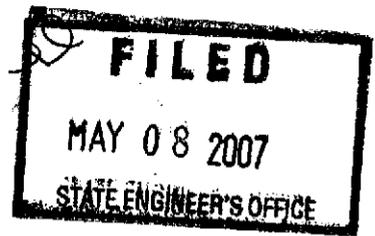


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 75489
FILED BY REX L. EVATT III
ON MARCH 28, 2007, TO APPROPRIATE
THE WATERS OF UNDERGROUND



PROTEST



Comes now USDI, 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 is Federal Land Management Agency tests the granting
of Application Number 75849, filed on March 28, 2007
by REX L. EVATT III to appropriate the
waters of an underground source within the hydrographic basin (#) situated in Humboldt
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, as described in the public notice, occurs on public land managed by the Bureau of Land Management, Winnemucca Field Office. To date, applicant Rex L. Evatt III (Applicant) has not contacted this office, nor has Applicant applied for authorization to enter public land for the purposes of diverting water, nor has Applicant filed for authorization to conduct mining activities on aforementioned public land. It will be necessary for the applicant to secure a right of way or other authorization to protect the public land and to ensure that reclamation of any surface disturbance and the works of diversion are completed.

THEREFORE the Protestant requests that the application be Denied or withheld until such time that a right of way or other
Denied, issued subject to prior rights, etc., as the case may be
authorization can be secured and that an order be entered for such relief as the State Engineer deems just and proper.

Signed  Agent or protestant

Gail Givens
Printed or typed name, if agent

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

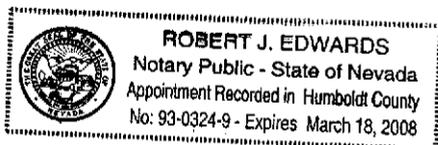
Winnemucca, Nevada 89445
City, State and Zip Code

(775) 623-1500
Phone Number

RECEIVED
2007 MAY -8 AM 10:50
STATE ENGINEER'S OFFICE

Subscribed and sworn to before me this 4th day of May, 2007


Notary Public



State of Nevada

County of Humboldt

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