ROBERT C. MADDOX & ASSOCIATES

TEL 702 366 1900
FAX 702 366 1999
3811 W. Charleston Blvd., Suite 110
Las Vegas, Nevada 89102

November 30, 2007

By Facsimile Only

Tim Wilson, P.E., Hearing Officer
Susan Joseph-Taylor, Esq., Chief Hearing Officer
Office of the State Engineer
Division of Water Resources
901 South Stewart Street, Suite 2002
Carson City, Nevada 89701

Re: January 9, 2008 Hearing re Carson Valley / Carson River:
Application Numbers 74510 through 74514, and 75645 through 75647

Dear Mr. Wilson and Ms. Joseph-Taylor:

Protestant Pyramid Lake Paiute Tribe of Indians hereby withdraws its protests against these eight applications, and therefore will not participate further in the hearing process.

The Tribe notes as a matter of interest that the applicant for 74510-74514 requests to change the place of use from an existing specific place of use of approximately 981 acres to a much larger place of use of approximately 1,720 acres, apparently in an attempt to obtain approval for the use of the water on any 981 acres within the 1,720 acres. The Tribe is not aware that the State Engineer has ever allowed that approach where the use remains agricultural, rather than where the request involves also a change of manner of use from agricultural to municipal or wildlife/wetlands.

Please let me know if you have any questions or comments.

Very truly yours,

ROBERT C. MADDOX & ASSOCIATES

Don Springmeyer

DS/tls
cc: See attached list

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

2007 JUN 22 PM 1:52

STATE ENGINEER'S OFFICE

In the Matter of Application Number 75646 Filed By Flying Eagle Ranch, LLC on April 26, 2007, For Permission to Change the Place of Use of Water Appropriated under Claim No. 608 of the Carson River Decree	)

PROTEST
FILED
JUN 22 2007
STATE ENGINEER'S OFFICE

Comes now The Pyramid Lake Paiute Tribe of Indians, whose post office address is P.O. Box 256, Nixon, Nevada 89424, whose occupation is a federally recognized Tribe of Indians, the governing body of the Pyramid Lake Indian Reservation, organized pursuant to the Indian Reorganization Act of 1934, with a Constitution and By-laws approved by the Secretary of Interior, and protests the granting of Application Number 75646, filed on April 26, 2007 by Flying Eagle Ranch, LLC for permission to change the place of use of a portion of water appropriated under the Carson River Decree, Claim No. 608; *United States vs. Alpine Land & Reservoir Company et al. Civil No. D-183*, for the following reasons and on the following grounds, to wit:

1. Granting the application would threaten to prove detrimental to the public interest in light of the need for a comprehensive solution to water supply and demand problems, both surface and groundwater, in the upper Carson River basins, and in light of the obligations of the State Engineer pursuant to NRS Chapters 533, 534, and 278 to require that there be adequate plans to protect existing rights, uses and commitments of surface and groundwater, and to exercise all appropriate authority and discretion to control over-demand on the source and to protect both the public and other right holders of both surface and groundwater rights.

2. Granting the application would threaten to prove detrimental to the Tribe, to the purposes for which the Pyramid Lake Indian Reservation was created, and to the public interest, by depleting flows in the Carson River and reducing inflows to Lahontan Reservoir, for the reasons stated above, to the detriment of senior surface water right holders in the Newlands Project, which senior right holders are entitled to divert Truckee River water through the Truckee Canal to make up for insufficient Carson River flows which are the primary source to satisfy their rights, and which greater diversions of Truckee River water away from Pyramid Lake would operate to the detriment of the threatened and endangered species inhabiting Pyramid Lake and the lower Truckee River, and impair instream flows.

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3. Granting the application may 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.

4. Granting the application would threaten to prove detrimental to the public interest.

5. This Protestant incorporates in this Protest by reference as if fully set forth herein every relevant protest ground set forth in any other Protest filed by any other Protestant regarding this application.

THEREFORE this 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

Nancy Jasculca

Don Springmeyer, Esq.
Nancy Jasculca, Esq.
3811 W. Charleston Blvd., Suite 110
Las Vegas, NV 89102
Tel: (702) 366-1900
Agents for the Tribe

Subscribed and sworn to before me this 22nd day of June, 2007.

Bette Heath

Bette Heath, Notary Public

BETTE H. HEATH
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 06-102034-2 - Expires December 29, 2009

State of Nevada
ss.
County of Washoe

My Commission Expires: December 29, 2009

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