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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:

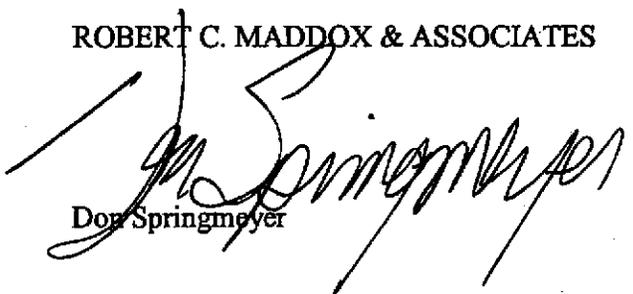
Protestant Pyramid Lake Paiute Tribe of Indians hereby withdraws its protests against these eight applications, and therefore will not participate further in the hearing process.

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

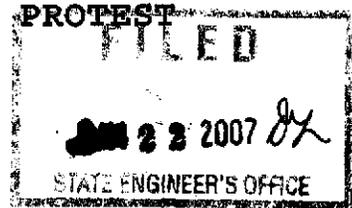
PARTIES	REPRESENTING	RE: APPLICATIONS
T. Scott Brooke, Esq. Brooke • Shaw • Zumpft 1590 Fourth Street, Suite 100 Minden, Nevada 89423 Ph: 775-782-7171 / Fx: 775-782-3081	Applicant, Bently Family Limited Partnership	74510, 74511, 74512, 74513, 74514
Robert O. Anderson, P.E. R.O. Anderson Engineering, Inc. P.O. Box 2229 Minden, Nevada 89423 Ph: 775-782-2322 / Fx: 775-782-7084	Applicant, Flying Eagle Ranch, LLC	75645, 75646, 75647
Thunderbird Ranch Corp. 575 State Route 88 Gardnerville, Nevada 89460	Protestant, Thunderbird Ranch Corp.	75645, 75646, 75647

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

2007 JUN 22 PM 1:52

In the Matter of Application Number 75647
Filed By Flying Eagle Ranch, LLC on
April 26, 2007, For Permission to Change the
Place of Use of a Portion of Water
Appropriated under Claim No. 611 of the
Carson River Decree

) 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 75647, 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. 611; *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.

JX

