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

2007 AUG 14 PM 2:56
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER.....75703.....,
FILED BY..SONTERRA DEVELOPMENT CO., LLC.....,
ON.....MAY 15 ....., 2007...., TO APPROPRIATE
THE WATERS OF .UNDERGROUND SOURCES - BASIN NO. 24 ...

} PROTEST

FILED
AUG 14 2007
STATE ENGINEER'S OFFICE

Comes now .....FASCIO ENTERPRISES c/o SYLVIA FASCIO.....
Printed or typed name of protestant

whose post office address is ...2001 HIGHWAY 34, GERLACH, NV 89412.....
Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is ....WATER RIGHT OWNER..... and protests the granting

of Application Number .....75703 ....., filed on .....MAY 15 ....., 2007

by .....SONTERRA DEVELOPMENT CO., LLC.....to appropriate the

waters of ....Underground Sources..... .....situated in ...Washoe .....
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:

.....

.....SEE ATTACHED EXHIBIT "A" .....

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.....

THEREFORE the Protestant requests that the application be .....DENIED .....
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.

Signed .....
Agent or protestant

.....Mr. Pierre A. Hascheff .....
Printed or typed name, if agent

Address.....P.O. Box 40667 .....
Street No. or P.O. Box No.

.....Reno, Nevada 89504.....
City, State and Zip Code No.

Subscribed and sworn to before me this ...14.....day of...August....., 2007.....

NANETTE J. CHILDERS
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 99-37541-2 - Expires July 24, 2011

...Nanette J. Childers.....
Notary Public

State of.....NEVADA.....

County of .....WASHOE.....

+ $25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN <u>ORIGINAL</u> SIGNATURE.

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Exhibit "A"
Formal Protest Requesting Denial of Application No. 75701 thru 75704
Applicant – Sonterra Development Company, LLC

Protestants are owners of certificated water rights that are placed to beneficial use on our ranch in basin 24. The Protestants are concerned that the proposed water exportation project will have a detrimental effect on their water rights.

Protestants are concerned that their surface water has recharged the applicants well field over the years. Protestants intend to keep their water rights and continue to utilize their water rights on their ranch.

Protestants' ranch has abundant wildlife along with many trees, willows, etc. that all depend on this stream.

Protestants' water rights secure the value of their property and their future financial security.

It is unknown at this time what impacts the above applications and exportation project will have on the Protestants' water rights. Before the State Engineer considers any exportation from Hualapai Valley, it is important to consider the accumulative impacts of continued ranching operations in the Valley Neither the applicant nor the State Engineer can utilize the continued irrigation and other committed surface water rights within the Hualapai Valley as a source of recharge to support Applicant's water exportation from the Valley.

The Applicant can not rely on the Protestant's surface water to recharge its groundwater resources. This analysis is critical and must be quantified since it will affect the groundwater yield described in the Application. Because this analysis does not exist, the State Engineer is justified in requesting additional information to gain a better understanding of its effects on the water project. The Applicant must demonstrate where it will obtain its recharge (e.g., surface water, rainfall, snow fall, etc.) to support a project of this magnitude. This information may provide additional details and protest concerns and accordingly the Protestant reserves the right to amend its protest as more information becomes available.

Protestant wants to be involved in any hearing, field investigation and/or other action taken by the State Engineer to obtain additional information on possible impacts to existing ground water, surface water rights and pending applications. Sufficient data and documentation does not exist to justify approval of an exportation of ground water; therefore, this protest is being filed requesting denial of the above applications. Protestant reserves the right to modify and supplement this protest based upon receipt of additional information that may address or magnify it's concerns.

Accordingly, Protestant requests that the above mentioned applications be denied.