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2 **IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA**

3
4 In The Matter of Application)
5 Number 76112, *AK*)
6 Filed By Michael and Elizabeth Schuler.,)
7 on August 1, 2007, To Appropriate the Waters)
8 of Steamboat Creek and/or Galena Creek through the)
9 Big Ditch.)

FILED
OCT 15 2007 AK
STATE ENGINEER'S OFFICE

PROTEST

STATE ENGINEERS OFFICE
2007 OCT 15 AM 9:49
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11 COMES NOW, The Big Ditch Company, a non-profit corporation whose post office
12 address is 140 Andrew Lane, Reno, NV 89521, by and through its attorney, Linda J. Linton, Esq.
13 of Linton & Associates, P.C., 155 Country Estates Circle, Suite 400, Reno, Nevada, 89509, and
14 protests the granting of Application Number 76112, filed on August 1, 2007, by Michael and
15 Elizabeth Schuler to appropriate the Waters of Steamboat Creek situated in Washoe County,
State of Nevada, for the following reasons and on the following grounds, to wit:

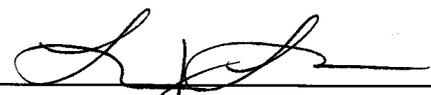
16 The Schulers' application requests the change in point of diversion for alleged water right
17 from the Steamboat Creek or Galena Creek formerly accessed through the Meadow Ditch, which
18 is no longer in existence, so that the Schulers can access their water through the Big Ditch. The
19 members of Big Ditch Company protest this application for change in the point of diversion by
20 the Schulers because Big Ditch does not currently have sufficient capacity to carry the current
21 holders' rights. Secondly, the Big Ditch Company members receive their water through flood
22 irrigation. Pumping is not allowed in the Big Ditch Company Bylaws and the ditch company
23 rules. This protest is made pursuant to NRS 533.370(5), 533.345 (2)(c), (3); 533.354;533.365.
24 The proposed use and change of the Schulers conflicts with existing rights and with protectible
25 interests in existing water rights of the holders using the Big Ditch; furthermore, the proposed
use and change threatens to prove detrimental to the public interest as noted above.

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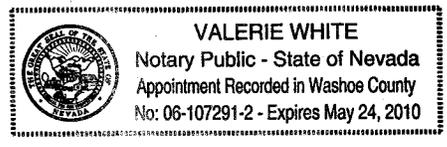
THEREFORE the Protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Signed: 
Agent or Protests

Company: Linda J. Linton, Esq. For President of Big Ditch
Address: 155 Country Estates Circle, Suite 400 Reno, NV 89511

Subscribed and sworn before me this 2ND day of October, 2007





Notary Public
State of Nevada
County of Washoe