

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

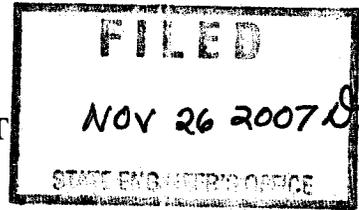
2007 NOV 26 PM 3:11

STATE ENGINEERS OFFICE

IN THE MATTER OF APPLICATION NUMBER.....76302.....
FILED BY.....AQUA TRAC, LLC.....
ON.....SEPTEMBER 19...2007....., TO APPROPRIATE
THE WATERS OFUNDERGROUND.....



PROTEST



Comes now.....United States Department of Interior, Bureau of Land Management, Winnemucca Field Office.....
whose post office address is.....5100 East Winnemucca Blvd, Winnemucca, NV 89445
whose occupation isFederal Land Management Agency..... and protests the granting
of Application Number76302....., filed onSeptember 19....., 2006.....
byAqua Trac, LLC.....to appropriate the
waters ofUNDERGROUND.....situated inPershing.....
County, State of Nevada, for the following reasons and on the following grounds, to wit:

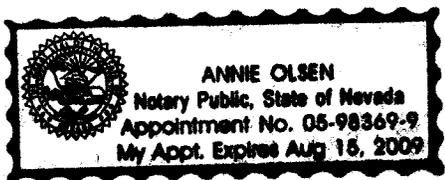
Applications 76302 through 76308 (all filed on behalf of Aqua Trac LLC within the Granite Springs Basin) seek to appropriate a large volume of water which far exceeds the established perennial yield of the basin. Approval of these applications would create a large deficit in the hydrologic budget for the Granite Springs basin which could affect public land resources, including: valid existing water right permits, phreatophytic vegetative resources, and existing land uses (such as: livestock grazing, wildlife habitat and rights of way). Many of the facts associated with these applications are similar to those previously decided under Nevada State Engineer ruling #5782. The Bureau of Land Management is not directly opposed to this project per se, but believes that the granting of this application should be held in abeyance until such time that it can be shown that there is additional water available in the hydrologic budget, the scope and spatial extent of the impacts are better understood, and that the anticipated impacts can be mitigated.

THEREFORE the Protestant requests that the application be...Denied, pending further information and analysis.....
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed [Signature]
Agent of protestant

.....Gail G. Givens, Field Manager.....
Address.....5100 East Winnemucca Blvd
Winnemucca, NV 89445

Subscribed and sworn to before me this26th, day of.....November, 2007.....



..... [Signature]
Notary Public
State of.....Nevada
County ofHumboldt

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

[Handwritten initials]