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

IN THE MATTER OF APPLICATION NUMBERS **76304**

PROTEST AND REQUEST TO DENY APPLICATIONS 76304

FILED BY **AQUA TRAC, LLC**
ON **SEPTEMBER 19, 2007**, TO APPROPRIATE THE WATERS OF **UNDERGROUND**.

FILED
NOV 14 2007 DX
STATE ENGINEER'S OFFICE

Comes now: **Frank & Karen Lipera**

whose post office address is **P.O. Box 838, Fernley, Nevada, 89408**

whose occupation is **Retired** and protests the granting

of Application Number **72304,** filed on **September 19, 2007**

by **Aqua Trac LLC** to appropriate the waters of **Underground** situated in **Pershing** County, State of Nevada, for the following

Reasons and on the following grounds, to wit:.

1. **There is no unappropriated water in the proposed source to support the subject Application.**
2. **Granting of the subject Application will conflict with and adversely impact existing rights of the Protestant and rights in and to other domestic wells.**
3. **The proposed diversion and export of water from the source basin is not environmentally sound.**
4. **Upon information and belief the granting of the subject Application will result in unreasonably lowering of the static water level in the subject basin, adversely affect the quantity and quality of remaining groundwater and further threaten springs and seeps which provide water and habitat critical to the survival of wildlife and grazing livestock and other surface area existing use.**
5. **Granting of the subject Application will unduly limit future growth and development of the basin of origin.**

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.

RECEIVED
2007 NOV 14 AM 11:19
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Signed Frank Lipera
Agent or protestant

Karen Lipera
Printed or typed name, if agent

Address P.O. Box 838
Street No. or P.O. Box No.

FERNLEY, NV 89408
City, State and Zip Code No.

Subscribed and sworn to before me this 13 day of November, 2007

Gloria M. Jarvis
Notary Public

GLORIA M. JARVIS
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 92-0419-2 - Expires November 5, 2008

State of Nevada

County of Washoe

DX