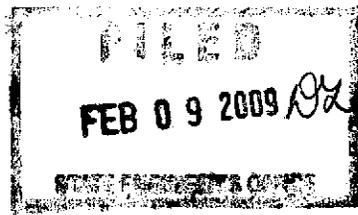


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA



STATE ENGINEER'S OFFICE
2009 FEB -9 AM 10:07
NEVADA

IN THE MATTER OF APPLICATION NUMBER.....77628.....
FILED BY: KILEY RANCH PRESERVANCY FOUNDATION,
ON...NOVEMBER 20, 2008..., TO APPROPRIATE THE WATERS OF
THE SURFACE WATER OF THE NORTH TRUCKEE DRAIN.....



PROTEST

Comes now.....TRUCKEE MEADOWS WATER AUTHORITY.....
Printed or typed name of protestant
whose post office address is....1355 Capital Boulevard, Reno, Nevada 89502.....
Street No. Or P.O. Box, City, State and Zip Code.
whose occupation isMunicipal water supplier for the Truckee Meadows..... and protests the granting
of Application Number77628....., filed onNOVEMBER 20....., 2008.....
by .KILEY RANCH PRESERVANCY FOUNDATION, 201 W. Liberty St., Third Floor, Reno, NV 89501.....to appropriate
the water of: the surface water of the North Truckee Drain.....situated in: Washoe County, State of...
Nevada, for the following reasons and on the following grounds, to wit:

- (1) There is no unappropriated water on the proposed source of supply as a result of State Engineer Ruling No. 4683.
- (2) The proposed use conflicts with existing water rights, including those granted in State Engineer Ruling No. 4683 and with other Truckee River water rights, in that it seeks to appropriate water which should be allowed to return to the Truckee River.
- (3) The proposed use threatens to prove detrimental to the public interest in that it is inconsistent with the Truckee River Operating Agreement, and if granted, it will prevent implementation of that Agreement and the benefits to the public which are dependent on that Agreement entering into effect.

THEREFORE the Protestant requests that the application beDENIED.....
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 Kenneth C. Briscoe
Agent or protestant

Kenneth C. Briscoe

Printed or typed name, if agent

P.O. Box 30013
Street No. or P.O. Box No.

Reno, Nevada 89520-3013
City, State and Zip Code No.

Subscribed and sworn to before me this 6th day of February, 2009.....

Kelly Harning
Notary Public



State of.....Nevada.....
County ofWashoe.....

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

Handwritten initials