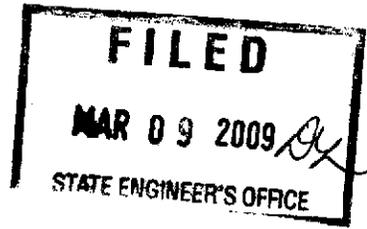


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER.....77634

PROTEST



FILED BY: JACKRABBIT PROPERTIES, LLC, A NEVADA

LIMITED LIABILITY COMPANY

ON ...NOVEMBER 21, 2009 – CORRECTED APPLICATION

FEBRUARY 2, 2009, TO APPROPRIATE THE WATERS OF

UNDERGROUND.....

Comes now. Gerlach General Improvement District

whose post office address is. P.O. Box 209, Gerlach, NV 89412

whose occupation isWater and Sewer District..... and protests the granting

of Application Number ..77634, filed on NOVEMBER 21, 2009 – CORRECTED APPLICATION FEBRUARY 2, 2009,

by Jackrabbit Properties, LLC a Nevada Limited Liability Company to appropriate the

waters ofUnderground.....situated inWashoe County, State of Nevada,
Underground or name of stream, lake, spring or other source

for the following reasons and on the following grounds, to wit: **Due to the significant amount of groundwater that will be pumped from Smoke Creek Basin (021), via inter-basin transfer to another basin, it is anticipated that not only will the Smoke Creek Basin suffer a significant decline in water levels, but the Town of Gerlach's spring water rights may be effected. Gerlach has held the water rights attached to Railroad Springs since 1909, and Garden Springs since 1929. These two springs are the sole water supply source for the Town of Gerlach and are senior to the applicant's water right applications.**

THEREFORE the Protester requests that the application be DENIED

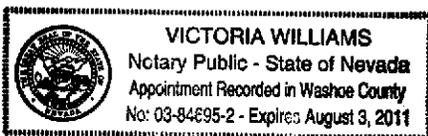
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed

Lisabeth Bertschi

Agent or protestant

**Lisabeth Bertschi
Gerlach GID Board Chairman
P. O Box 209
Gerlach, NV 89412**



STATE ENGINEER OF NEVADA
2009 MAR -9 PM 1:29

Subscribed and sworn to before me this 5th day of March, 2009.....

Victoria Williams

Notary Public

OK