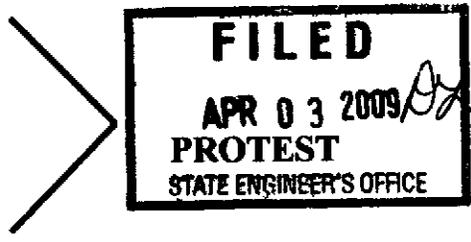


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 77664  
FILED BY Alder Creek Denio Ranch, LLC  
ON December 8th, 2008, TO APPROPRIATE THE  
WATERS OF Rattlesnake Spring & Creek



RECEIVED  
2009 APR -3 PM 12:06  
STATE ENGINEER'S OFFICE

Comes now John H. Milton III  
Printed or typed name of protestant  
whose post office address is 146 W. 2nd Street, Winnemucca NV 89445  
Street No. Or P.O. Box, City, State and Zip Code  
whose occupation is a Professional Land Surveyor and protests the granting  
of Application Number 77664, filed on December 8th, 2008  
by Alder Creek Denio Ranch, LLC to appropriate the  
waters of Rattlesnake Spring & Creek situated in Humboldt  
Underground or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

This protest is being filed on behalf of SSD Ranch, LLC \* and Julian W. Marcuerquiaga. The protestants believe that the granting of Application 77664 would impair the existing water rights (Proofs 05854 & 05855 and Application 77142). At the current time the protestants believe that there is no more water available to serve Application 77142.

\* SSD Ranch, LLC is the Successor in interest to Julian W. Marcuerquiaga; Reports of Conveyance are being prepared and will be filed soon.

THEREFORE the Protestant requests that the application be DENIED  
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.

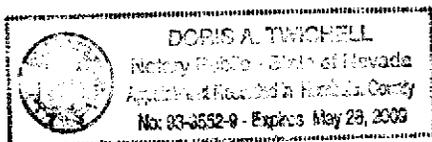
Signed John H. Milton III  
Agent or protestant

John H. Milton III, Agent  
Printed or typed name, if agent

Address 146 West Second Street  
Street No. or P.O. Box No.

Winnemucca, NV 89445  
City, State and Zip Code No.

Subscribed and sworn to before me this 2nd day of April, 2009  
Doris A. Twichell  
Notary Public



State of Nevada

County of Humboldt