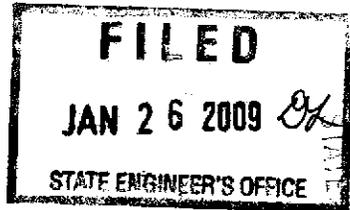


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 77687,
FILED BY PACIFIC RECLAMATION CO.,
ON DECEMBER 15TH, 2008,
TO APPROPRIATE THE WATERS OF BISHOP CREEK,



PROTEST

2009 JAN 26 PM 12:16

RECEIVED

Comes now

Howell Angus Ranch LLC,

whose post office address

PO Box 130 Wells NV 89835

whose occupation is

Ranching

and protests the granting

of Application Number 77687, filed on December 15th, 2008

by Pacific Reclamation CO. c/o James Bradish Dalton to appropriate the

waters of

Bishop Creek

situated in

Elko

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

The extra water as stated in the application is from a spring(s) that has opened up since the earthquake activity of the Spring of 2008, there is no way in knowing if this extra water is here to stay or just year or two event. Many more years of data would be necessary in order know if these flows are sustainable. Bishop Creek is also fully adjudicated and on a normal year does not fulfill all of the water rights on it, so adding yet another water right would only put more stress on an already stressed system.....

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.

Signed

Agent of protestant

Address

Chris Howell
PO Box 130
Wells NV 89835

Subscribed and sworn to before me this 23rd day of January, 2009

Notary Public

State of Nevada

County of Elko



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

OK