

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

FILED
APR 10 2009
STATE ENGINEER'S OFFICE

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2009 APR 14 AM 9:33
STATE ENGINEERS OFFICE

IN THE MATTER OF APPLICATION NUMBER 77807
FILED BY U.S. DEPARTMENT OF ENERGY
ON JANUARY 20, 2009, TO APPROPRIATE THE
WATERS OF UNDERGROUND SOURCE

Comes now Turner Lincoln Ranch, LLC
Printed or typed name of protestant
whose post office address is P.O. Box 142, Mesquite, Nevada 89024
Street No. Or P.O. Box, City, State and Zip Code.
whose occupation is Farming and ranching in Panaca Valley and protests the granting
of Application Number 77807, filed on January 20, 2009
by U.S. Department of Energy to appropriate the
waters of Underground situated in Lincoln
Underground or name of stream, lake, spring or other source

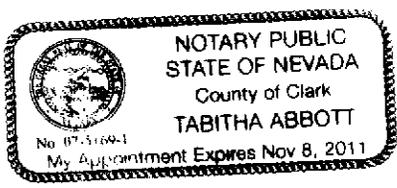
County, State of Nevada, for the following reasons and on the following grounds, to wit:
Panaca Valley is over appropriated above the currently recognized perennial yield established in USGS reconnaissance report 27 with total permitted rights currently exceeding 31,000 acre-feet annually. The additional cumulative volume in the amount of 3,546 acre-feet filed by the Department of Energy (DOE) is detrimental to existing permitted and certificated rights. The additional appropriation by DOE may cause significantly lowering of the water table associated with current points of diversions completed in the Quaternary sediments and the Tertiary Panaca Formation within the Panaca Valley hydrographic basin, Basin 203. DOE has conducted no investigation indicating there is water available for appropriation that would not adversely effect the current permit holders in the Panaca Valley. Project as defined by the DOE for the storage of nuclear in Nevada is not in the public interest.

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 Kraig D. Hafen
Agent or protestant
Kraig D. Hafen
Printed or typed name, if agent

Address P.O. Box 142
Street No. or P.O. Box No.
Mesquite, Nevada, 89024
City, State and Zip Code No.

Subscribed and sworn to before me this and day of April, 2009



Tabitha Abbott
Notary Public
State of Nevada
County of Clark

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