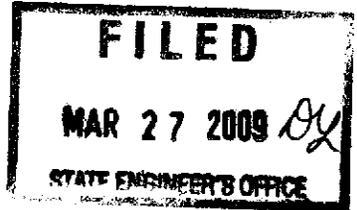


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER.....77837.....
FILED BY USA, U.S. Dept. of Energy of L.V. Nevada
ON January 20th, 2009, TO APPROPRIATE THE
WATERS OF State of Nevada



PROTEST



Comes now PENOYER FARMS LTD., Rebecca C. Shortell, Resident Agent
Printed or typed name of protestant
whose post office address is HC 61 Box 4 Alamo, Nevada 89001
Street No. Or P.O. Box, City, State and Zip Code.
whose occupation is Agriculture/Farming and protests the granting
of Application Number 77837 filed on January 20th, 2009
by United States of America, U.S. Department of Energy of L.V. Nevada to appropriate the
waters of an underground source 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:

This application has the potential to compromise all rural and agricultural population throughout this Basin and surrounding Basins that the applicant has applied for. Private studies from Hydrologists, Biologists and Federal Agencies collectively conclude Nevada's aquifers are all connected at a subterranean level and any large draw will negatively affect the hydrologic balance to the public and biology.

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 Rebecca C Shortell
Agent or protestant

REBECCA C. SHORTELL
Printed or typed name, if agent

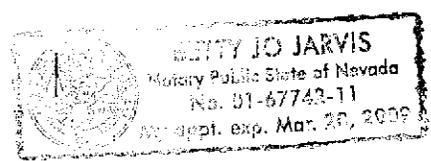
Address HC 61 Box 4 Alamo, Nevada 89001
Street No. or P.O. Box No.
Alamo, NV 89001
City, State and Zip Code No.

Subscribed and sworn to before me this 20th day of March, 2009

Betty Jo Jarvis
Notary Public

State of Nevada
County of Lincoln

2009 MAR 27 11:35
STATE ENGINEER



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

Handwritten initials 'BJ'