

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

IN THE MATTER OF APPLICATION NUMBER.....77838.....

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 49 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 77838, 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 49 Alamo, Nevada 89001

Street No. or P.O. Box No.

Alamo, NV 89001

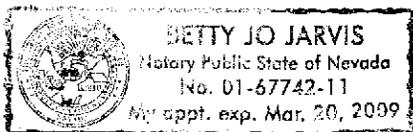
City, State and Zip Code No.

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 08:11:35

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

Handwritten initials