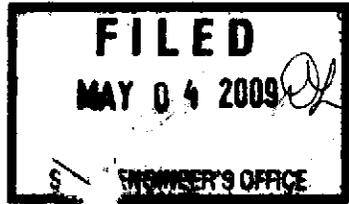


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER...77838.....  
FILED BY...DEPARTMENT OF ENERGY.....  
ON.....JANUARY 20, 2009.... TO APPROPRIATE THE WATERS OF  
...UNDER GROUND, HYDROGRAPHIC BASIN 172 .



PROTEST

RECEIVED  
2009 MAY -4 PM 3:50  
STATE ENGINEER'S OFFICE

Comes now.....Wendy Rudder, Director, Triple Aught Foundation

Printed or typed name of protestant

whose post office address is.....HC61 Box 33, Hiko, NV 89017

Street No. Or P.O. Box, City, State and Zip Code.

whose occupation is .....Director..... and protests the granting

of Application Number .....77838.....filed on .....January 20 .....2009.....

by .....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:

Considering the existing ground – water permits and pending applications, the granting of these permits could potentially injure prior rights, and is not in the best interest of the public. The DOE withdrawal quantity of 5 wells could lower static water level in Basin 172 below economically feasible levels to pump, affecting current filings.

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 .....

Agent or protestant

Wendy Rudder

Printed or typed name, if agent

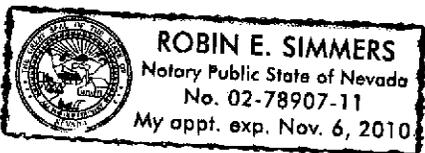
Address.....HC61 Box 33.....

Street No. or P.O. Box No.

.....Hiko, NV 89017.....

City, State and Zip Code No.

Subscribed and sworn to before me this 16 day of April, 2009



Robin E. Simmers

Notary Public

State of Nevada

County of Lincoln

+ \$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.