

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

IN THE MATTER OF APPLICATION NUMBER.....77899.....  
FILED BY...US DEPARTMENT OF ENERGY.....  
ON.....JANUARY 20....., 2009., TO APPROPRIATE THE  
WATERS OF .....UNDERGROUND.....

FILED  
APR 09 2009  
STATE ENGINEER'S OFFICE

RECEIVED  
2009 APR -9 AM 10:33  
STATE ENGINEERS OFFICE



PROTEST

Comes now.....Nevada Department of Wildlife.....  
Printed or typed name of protestant  
whose post office address is.....1100 Valley Road, Reno NV 89512.....  
Street No. Or P.O. Box, City, State and Zip Code.  
whose occupation is .....State Wildlife Agency..... and protests the granting  
of Application Number .....77899....., filed on .....January 20....., 2009.....  
by .....United States Department of Energy.....to appropriate the  
waters of .....Underground.....situated in ....Nye.....  
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:

.Approval of this application will be detrimental to the public interest and to public wildlife resources of which the Nevada Department of Wildlife has statutory responsibility for protection and management, as approval may have a negative impact on surface waters and wetlands within the Oasis Valley hydrographic basin on which sensitive, unique and State protected wildlife species are dependent including the Amargosa toad, Oasis Valley speckled dace, southwestern willow flycatcher, and numerous other resident wildlife species. Previous State Engineer's rulings including #4669 and #5954 have denied similar applications within the Oasis Valley hydrographic basin on the grounds, in part, that withdrawal of additional groundwater from the basin would impair existing rights and would prove detrimental to the public interest.

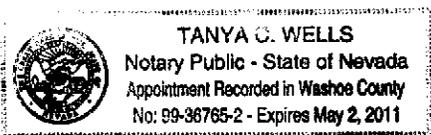
THEREFORE the Protestant requests that the application be .....Denied.....  
Denied, issued subject to prior rights, etc., as the case may be  
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed *Richard Johnson*.....  
Agent or protestant

*Richard L. Haskins, Jr.*.....  
Printed or typed name, if agent

Address.....1100 Valley Road.....  
Street No. or P.O. Box No.  
.....Reno, NV...89512.....  
City, State and Zip Code No.

Subscribed and sworn to before me this *8th* day of *April*, 20*09*  
*Tanya C. Wells*  
Notary Public  
State of *Nevada*  
County of *Washoe*



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

*dy*