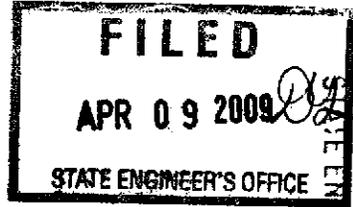


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER.....77903.....,
FILED BY...US DEPARTMENT OF ENERGY.....,
ON.....JANUARY 20....., 2009., TO APPROPRIATE THE
WATERS OFUNDERGROUND.....



RECEIVED
2009 APR -9 AM 10:34
STATE ENGINEER'S 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 isState Wildlife Agency..... and protests the granting

of Application Number77903....., filed onJanuary 20....., 2009.....

byUnited States Department of Energy.....to appropriate the

waters ofUnderground.....situated inNye.....
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 beDenied.....
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.

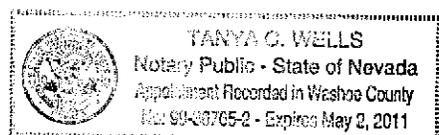
Signed [Signature]
Agent or protestant

[Signature] DEPUTY DIRECTOR
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, 2009



[Signature]
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.

[Handwritten initials]