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

IN THE MATTER OF APPLICATION NUMBER: *77904*
FILED BY: *U.S. DEPARTMENT OF ENERGY*
ON: *JANUARY 20, 2009*, TO APPROPRIATE THE WATERS OF *GROUNDWATER BASINS IN LINCOLN, NYE, AND ESMERALDA COUNTIES*

FILED PROTEST
APR 03 2009
STATE ENGINEER'S OFFICE

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COMES NOW *the Nevada Agency for Nuclear Projects, by and through the Attorney General's office*, whose post office address is: *100 North Carson Street, Carson City, Nevada 89701*, whose occupation is: State agency and protest the granting of Application Number *77904*, filed on January 20, 2009 by the *United States Department of Energy* to appropriate the waters of *Basin 228* situated in *Nye* County, State of Nevada, for the following reasons and on the following grounds, to wit: *The proposed use of groundwater threatens to prove detrimental to the public interest NRS 533.370(5)*.

THEREFORE the Protestant requests that the application be *Denied* and that an order be entered for such relief as the State Engineer deems just and appropriate.

Signed Marta A. Adams
Agent or Protestant

Marta A. Adams, Chief Deputy Attorney General
Printed or typed name, if agent

Address 100 North Carson Street
Street No. or PO Box No.

Carson City, Nevada 89701
City, State and Zip Code No.

Subscribed and sworn to before me this 1st day of April, 2009.

Vicki Beavers
Notary Public

VICKI BEAVERS
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires 11-09-2011
Commission No: 99-[illegible]-5

State of Nevada

County of Carson City

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ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE