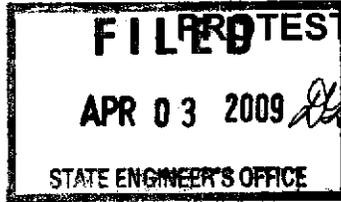


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER: 77909  
FILED BY: U.S. DEPARTMENT OF ENERGY  
ON: JANUARY 20, 2009, TO APPROPRIATE THE  
WATERS OF GROUNDWATER BASINS IN  
LINCOLN, NYE, AND ESMERALDA COUNTIES



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2009 APR -3 AM 11:05  
STATE ENGINEERS OFFICE

**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 77909, filed on January 20, 2009 by the United States Department of Energy to appropriate the waters of Basin 229 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

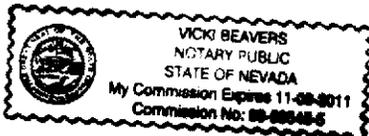
Marta A. Adams, Chief Deputy Attorney General  
Printed or typed name, if agent

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



State of Nevada

County of Carson City

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

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE

*Handwritten initials*