

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

IN THE MATTER OF APPLICATION NUMBER.....77969

FILED BY: JACKRABBIT PROPERTIES, LLC, A NEVADA LIMITED LIABILITY COMPANY

ON... **FEBRUARY 2, 2009** – CORRECTED APPLICATION

FEBRUARY 6, 2009, TO APPROPRIATE THE WATER OF,

UNDERGROUND

FILED
PROTEST
APR 07 2009
STATE ENGINEER'S OFFICE
STATE ENGINEERS OFFICE
2009 APR -7 AM 10:40
RECEIVED

Comes now, Gerlach General Improvement District

whose post office address is, P.O. Box 209, Gerlach, NV 89412

whose occupation is Water and Sewer District and protests the granting

of Application Number ..77969, filed on **FEBRUARY 2, 2009** – CORRECTED APPLICATION **FEBRUARY 6, 2009**,

by Jackrabbit Properties, LLC a Nevada Limited Liability Company to appropriate the

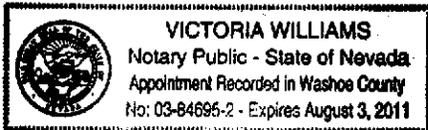
waters of Underground situated in Washoe County, State of Nevada,
Underground or name of stream, lake, spring or other source

for the following reasons and on the following grounds, to wit: **Due to the significant amount of groundwater that will be pumped from Smoke Creek Basin (021), via inter-basin transfer to another basin, it is anticipated that not only will the Smoke Creek Basin suffer a significant decline in water levels, but the Town of Gerlach's spring water rights may be effected. Gerlach has held the water rights attached to Railroad Springs since 1909, and Garden Springs since 1929. These two springs are the sole water supply source for the Town of Gerlach and are senior to the applicant's water right applications.**

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 proper.

Signed *Lisabeth Bertschi*
Agent or protestant
Lisa Bertschi



Lisabeth Bertschi
Gerlach GID Board Chairman
P. O Box 209
Gerlach, NV 89412

Subscribed and sworn to before me this *6th* day of *April* 2009

Victoria Williams
Notary Public
Victoria Williams

dy