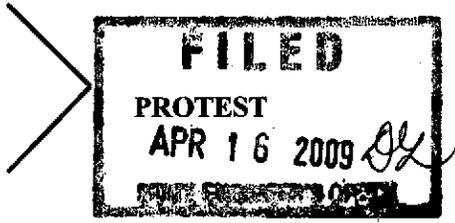


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 78158
FILED BY Mike & Barbara Stremler
ON March 17, 2009 TO APPROPRIATE THE
WATERS OF Salt Marsh Hot Spring



STATE ENGINEERS OFFICE
2009 APR 16 PM 3:02
RECEIVED

Comes now Joe Saval Co., LLC
whose post office address is PO Box 296 Battle Mountain Nevada 89820
whose occupation is Ranching company and protests the granting
of Application Number 78158, filed on March 17, 2009
by Mike & Barbara Stremler to appropriate the
waters of Salt Marsh Hot Spring situated in Pershing
County, State of Nevada, for the following reasons and on the following grounds, to wit:

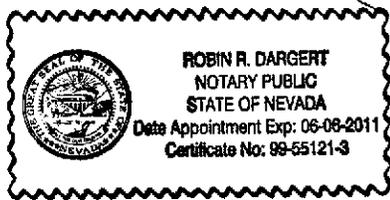
See Attachment

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 Tamara Mahe
Agent or protestant

Tamara Mahe (Agent)
Address 108 N. Minnesota St
Carson City, NV 89703

Subscribed and sworn to before me this 16th day of April 2009



Robin R. Dargert
Notary Public
State of Nevada
County of Carson City

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

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Attachment A

1) There is no unappropriated water at the source.

Salt Marsh Hot Spring, aka McCoy Hot Spring, is fully appropriated under water rights 4373 and 59329, with and any excess water appropriated under Application 78110. These rights account for all the water that flows from the spring.

2) Granting of Application 78158 would prove detrimental to existing rights.

Protestant owns Permit 4373, Certificate 645, and Permit 59329 and have applied for water under 78110. All of the existing rights are senior rights to Application 78158. These rights account for the entire yearly flow of the spring. The Protestant is the sole owner of the water rights from the source.

3) Granting of Application 78158 would prove detrimental to the public interest.

Currently, the Applicant is interfering with Protestants' existing senior rights on the source. The Applicant has historically attempted to inhibit and thwart the Protestant's use and access to their senior rights. Granting this application would over allocate the water from the spring and exacerbate the existing conflict over access and use of the Protestant's senior rights. Granting this application would be contrary to prior orders, rulings, decrees and conclusions of law existing from prior conflicts on this source. In light of the history of conflict and prior rulings, granting Application 78158 would prove detrimental to the public interest.