

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

IN THE MATTER OF APPLICATION NUMBER 79231
FILED BY Young Bros, a Nevada General Partnership
ON January 21, 20 10, TO APPROPRIATE THE
WATERS OF Sante Fe Creek



PROTEST



Comes now Gary Kemp

Printed or typed name of protestant

whose post office address is HC 65 Box 198, Austin, NV 89310

Street No. or PO Box, City, State and ZIP Code

whose occupation is retired resident of Kingston

and protests the granting

of Application Number 79231

, filed on January 21

, 20 10

by Young Bros, a Nevada General Partnership

to appropriate the

waters of Sante Fe Creek

situated in Lander

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:

According to the Kingston Creek Final Decree in 1963 and approval of permits 67295,67296,67297 the applicants are required to place measuring devices in compliance with these documents. The official ruling dated October 8, 2007 states that approval will be granted subject to "the installation of continuous recording devices that have been approved the the State Engineer as to their model type and location. These devices will be installed at locations determined by the office of the State Engineer, the cost of their installation, monitoring and continued maintenance will be borne by the water right holders". In a letter dated April 6, 2009 from the State Engineer to the Kingston Town Board it states-"...a USGS style staff gauge must be installed in the structure(Sante Fe and Shoshone Creek) in addition to a water level recorder... B. The measuring device on Kingston Creek must be installed above the confluence of the Sante Fe channel. The measuring device will consist of a 3 foot Parshall Flume with a stilling well, in addition to a USGS staff gauge and a water level recorder." I believe these requirements should be met before any new application are approved.

THEREFORE the Protestant requests that the application be

Denied

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

Gary Kemp

Agent or protestant
Gary Kemp

Printed or typed name, if agent

Address

HC 65 Box 198

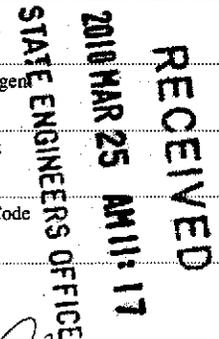
Street No. or PO Box

Austin, NV 89310

City, State and ZIP Code

775-964-2411

Phone Number



Subscribed and sworn to before me this

24th

day of

March

, 20 10



SANDRA SEARS-LA VALLEE
Notary Public - State of Nevada
Appointment Recorded in Lander County
No: 94-19980-10 - Expires August 6, 2010

Sandra Sears LaVallee
Notary Public

State of

Nevada

County of

Lander

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

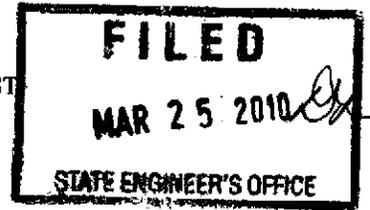
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

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

IN THE MATTER OF APPLICATION NUMBER 79232
FILED BY Young Bros, a Nevada General Partnership
ON January 21, 2010, TO APPROPRIATE THE
WATERS OF Shoshone Creek



PROTEST



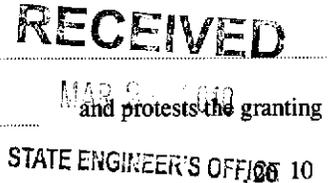
Comes now Gary Kemp

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Street No. or PO Box, City, State and ZIP Code

whose occupation is retired resident of Kingston



of Application Number 79232, filed on January 21

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to appropriate the

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situated in Lander

Underground or name of stream, lake, spring or other source

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Agent or protestant

Gary Kemp

Printed or typed name, if agent

Address

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Street No. or PO Box

Austin, NV 89310

City, State and ZIP Code

775-964-2411

Phone Number

Subscribed and sworn to before me this 24th day of

March, 2010

Sandra Sears LaPalme

Notary Public

State of

Nevada

County of

Lander

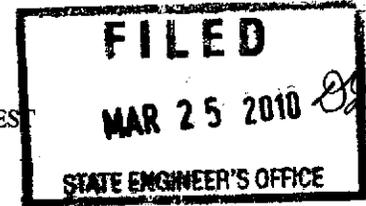
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PROTEST

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Street No. or PO Box, City, State and ZIP Code

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STATE ENGINEER'S OFFICE 10

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21st

day of

March

, 20 10



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Notary Public - State of Nevada
Appointment Recorded in Lander County
No: 94-19980-10 - Expires August 6, 2010

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State of

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County of

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