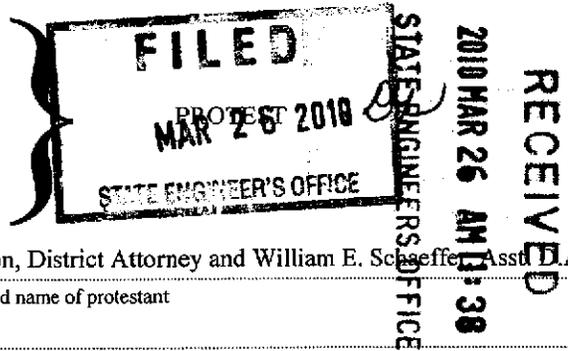


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 79231
FILED BY Young Bros.
ON January 21, 2010, TO APPROPRIATE THE
WATERS OF Santa Fe Creek in Basin 137B



Comes now Lander County, Nevada, by and through Hy Forgeron, District Attorney and William E. Schaeffer, Asst. D.A.
Printed or typed name of protestant
whose post office address is P.O. Box 187, Battle Mountain, NV 89820
Street No. or PO Box, City, State and ZIP Code
whose occupation is a political subdivision of the State of Nevada and protests the granting
of Application Number 79231, filed on January 21, 2010
by Young Bros. to appropriate the
waters of Santa 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:

Our understanding is that for approximately 40 years the Young Brothers have been under an obligation to install and maintain some kind of metering devices, but no such devices have been installed although ruling #5788 dated October 8, 2007 provides "that adequate diversion control structures and continuous recording devices (be) installed, maintained and properly monitored." This was ordered so as to prevent conflicts with other, higher priority, water rights by making sure that "the total diversion rate measured at all decreed and permitted sources cannot exceed the applicant's combined rates..." Like the Town of Kingston, we are puzzled and disappointed that the State Engineer has seen fit to grant an extension of time until December 12th for the proof of completion required for permits 67295, 67296 & 69297; but what's done is done. However, this should not be allowed to continue. How can anyone know how much water may be lost due to various factors without any monitors installed? A supposed riparian use is not truly riparian if it results in water depletion due to inefficiencies or even normal evaporation and phreatophytes. Monitoring would help to find these potential problems.

THEREFORE the Protestant requests that the application be Denied or issued subject to prior rights, agreements and rulings
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 W. E. Schaeffer
Agent or protestant
William E. Schaeffer, Assistant D.A., Lander County, Nevada
Printed or typed name, if agent
Address Lander County District Attorney's Office, P.O. Box 187
Street No. or PO Box
Battle Mountain, NV 89820
City, State and ZIP Code
775-635-5195
Phone Number

Subscribed and sworn to before me this 25th day of March, 2010



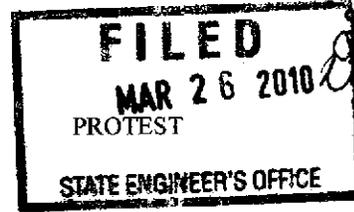
Juanita Martin
Notary Public
State of Nevada
County of Lander

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

Handwritten initials

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

IN THE MATTER OF APPLICATION NUMBER 79232
FILED BY Young Bros.
ON January 21, 20 10, TO APPROPRIATE THE
WATERS OF Shoshone Creek in Basin 137B



RECEIVED
2010 MAR 26 AM 11:39
STATE ENGINEER'S OFFICE

Comes now Lander County, Nevada, by and through Hy Forgeron, District Attorney and William E. Schaeffer, Assistant D.A.
Printed or typed name of protestant

whose post office address is P.O. Box 187, Battle Mountain, NV 89820
Street No. or PO Box, City, State and ZIP Code

whose occupation is a political subdivision of the State of Nevada and protests the granting

of Application Number 79232, filed on January 21, 20 10

by Young Bros. to appropriate the

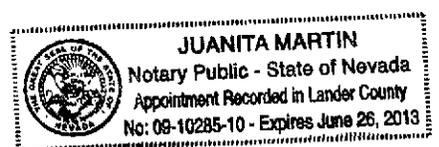
waters of Shoshone Creek situated in Lander
Underground or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:
Our understanding is that for approximately 40 years the Young Brothers have been under an obligation to install and maintain some kind of metering devices, but no such devices have been installed although ruling #5788 dated October 8, 2007 provides "that adequate diversion control structures and continuous recording devices (be) installed, maintained and properly monitored." This was ordered so as to prevent conflicts with other, higher priority, water rights by making sure that "the total diversion rate measured at all decreed and permitted sources cannot exceed the applicant's combined rates..." Like the Town of Kingston, we are puzzled and disappointed that the State Engineer has seen fit to grant an extension of time until December 12th for the proof of completion required for permits 67295, 67296 & 69297; but what's done is done. However, this should not be allowed to continue. How can anyone know how much water may be lost due to various factors without any monitors installed? A supposed riparian use is not truly riparian if it results in water depletion due to inefficiencies or even normal evaporation and phreatophytes. Monitoring would help to find these potential problems.

THEREFORE the Protestant requests that the application be Denied or issued subject to prior rights, agreements and rulings
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 William E. Schaeffer
Agent or protestant
William E. Schaeffer, Assistant D.A., Lander County, Nevada
Printed or typed name, if agent
Address Lander County District Attorney's Office, P.O. Box 187
Street No. or PO Box
Battle Mountain, NV 89820
City, State and ZIP Code
775-635-5195
Phone Number

Subscribed and sworn to before me this 25th day of March, 20 10

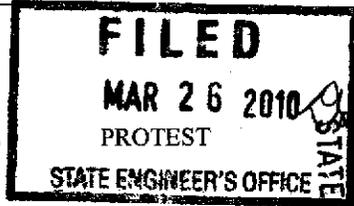


Juanita Martin
Notary Public
State of Nevada
County of Lander

+ \$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 79233
FILED BY Young Bros.
ON January 21, 2010, TO APPROPRIATE THE
WATERS OF Kingston Creek in Basin 137B



RECEIVED
2010 MAR 26 AM 11:38
STATE ENGINEER'S OFFICE

Comes now Lander County, Nevada, by and through Hy Forgeron, District Attorney and William E. Schaeffer, Asst. D.A.

Printed or typed name of protestant

whose post office address is P.O. Box 187, Battle Mountain, NV 89820

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

whose occupation is a political subdivision of the State of Nevada

of Application Number 79233, filed on January 21, 2010

by Young Bros. to appropriate the

waters of Kingston Creek situated in Lander

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

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Signed

W. E. Schaeffer
Agent or protestant

William E. Schaeffer, Assistant D.A., Lander County, Nevada

Printed or typed name, if agent

Address

Lander County District Attorney's Office, P.O. Box 187

Street No. or PO Box

Battle Mountain, NV 89820

City, State and ZIP Code

775-635-5195

Phone Number

Subscribed and sworn to before me this 25th day of March, 2010



JUANITA MARTIN
Notary Public - State of Nevada
Appointment Recorded in Lander County
No: 09-10285-10 - Expires June 26, 2013

Juanita Martin
Notary Public

State of Nevada

County of Lander

+ \$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
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Handwritten initials