

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

IN THE MATTER OF APPLICATION NUMBER 79602
FILED BY Harold Witter
ON 18th day of February, 20 10, TO APPROPRIATE THE
WATERS OF The State of Nevada

FILED
MAR 26 2010
STATE ENGINEER'S OFFICE
PROTEST

RECEIVED
2010 MAR 26 AM 10:48
STATE ENGINEER'S OFFICE

Comes now Kenneth B Newby - Newby Cattle
Printed or typed name of protestant
whose post office address is 517 Belmont DR ST. George, Utah 84790
Street No. or PO Box, City, State and ZIP Code
whose occupation is Rancher - auto Dealer and protests the granting
of Application Number 79602, filed on 18th day of February, 20 10
by Harold Wittwer to appropriate the

waters of underground source situated in Lincoln
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:
Harold has just requested with Lincoln County to subdivide this property into 2 1/2 acre lots to be sold. We feel this extension of water rights for the entire year is not needed for irrigation purposes as no crops are raised there [especially in the winter months] and in fact as far as we know Harold has not developed or used the water he now has for irrigation since he owned the property. Is this for the purpose of splitting the 21 acre feet and selling the rights with the 2 1/2 lots?

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 Kenneth B Newby
Agent of protestant
Kenneth B Newby
Printed or typed name, if agent
Address 517 Belmont DR.
Street No. or PO Box
ST. George, Utah 84790
City, State and ZIP Code
435-673-6344
Phone Number

Subscribed and sworn to before me this 23 day of March, 20 10



Kelle L. Leitner
Notary Public
State of Utah
County of Washington

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