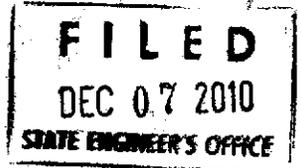


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 80206  
FILED BY Phillip Geertson  
ON October 14th, 20 10, TO APPROPRIATE THE  
WATERS OF Star Creek



PROTEST



Comes now John H. Milton III (agent for Pruitt Revocable Living Trust)

Printed or typed name of protestant

whose post office address is 146 West Second Street, Winnemucca, Nevada, 89445

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

whose occupation is Professional Land Surveyor and State Water Right Surveyor and protests the granting

of Application Number 80206, filed on October 14th, 20 10

by Phillip Geertson to appropriate the

waters of Star Creek situated in Pershing

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:

The point of diversion for application 80206 appears to have the same point of diversion as Proof 01177 which is owned by the Pruitt Revocable Trust (Pruitt Trust). The applicant previously filed application 49260 which was denied on September 24th, 1996, because the applicant could not produce an agreement for use of the water and diversion structure with the former owner of Proof 01177. The Pruitt Trust has no agreement with the applicant to use the diversion structure or any of the ditches or pipelines that cross the proposed place of use, which the Pruitt Trust has current rights-of-way issued by the BLM (N5405, N75211 & N83625). The applicant does not have a plan of operation on file with the BLM that would protect the Pruitt Trust ditches and pipelines (see protest filed by the BLM). Proof 01177 dates back to 1862, the granting of application 80206 would detrimental to an existing use of water that is almost 150 years old. Therefore the Pruitt Revocable Trust requests that application 80206 be denied and the ground that it would be detrimental to the public interest and that it conflicts with existing rights.

THEREFORE the Protester 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

*John H. Milton III*

Agent or protestant

John H. Milton III, (agent for the Pruitt Revocable Trust)

Printed or typed name, if agent

Address

146 West Second Street

Street No. or PO Box

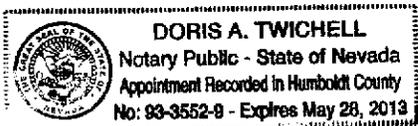
Winnemucca, Nevada, 89445

City, State and ZIP Code

775-623-4414

Phone Number

Subscribed and sworn to before me this 6th day of December, 20 10



*Doris A. Twichell*

Notary Public

State of Nevada

County of Humboldt

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

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.