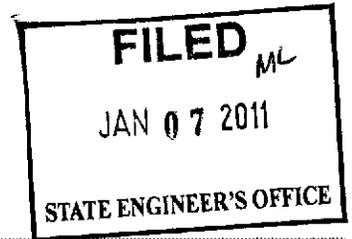


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 80340
FILED BY SPRING CREEK UTILITIES CO
ON DECEMBER 17, 20 10, TO APPROPRIATE THE
WATERS OF BASIN 048/DIXIE CREEK-TENMILE CREEK



PROTEST



Comes now OTIS W. & MARILYN C. TIPTON III

Printed or typed name of protestant

whose post office address is PO BOX 1555, ELKO, NV 89803

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

whose occupation is County Road Supervisor/Deputy County Clerk

and protests the granting

of Application Number 80340

, filed on December 17

, 20 10

by SPRING CREEK UTILITIES CO

to appropriate the

waters of DIXIE CREEK-TENMILE CREEK AREA BASIN 048

situated in ELKO

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:

Otis & Marilyn Tipton III are owners of a domestic well which was placed in use in 1981 and surface water Permit 55827 on Stoffer Creek located in Lipparelli Subdivision W1/2 of Section 30, T33N, R57E, MDB&M. Applicant has failed to fully fill out application pursuant to NRS 533.340 (2) which is in addition to NRS 533.335. Applicant is applying to remove all compliant water from a specific area in the basin which will effect existing domestic and surface water instead of treating its existing permitted water. No plan has been produced for water conservation pursuant to NRS 540.141. No assessment on old pipe leakage with water wastage for conservation and reduction in water usage has been made. No plan or procedure is in the application for remediation of effects on existing domestic wells or surface water.

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

OTIS W. TIPTON III / MARILYN C. TIPTON

Agent or protestant

OTIS W. TIPTON III / MARILYN C. TIPTON

Printed or typed name, if agent

Address

PO BOX 1555

Street No. or PO Box

ELKO, NEVADA 89803

City, State and ZIP Code

(775) 753-6382

Phone Number

Subscribed and sworn to before me this

4th

day of

JANUARY

, 20 11

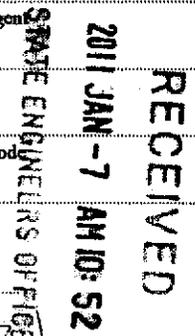


Kelly A. Scow

Notary Public

State of NEVADA

County of ELKO



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