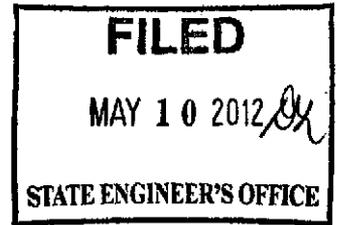


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 81650
FILED BY RUBY HILL RANCH, LLC
ON MARCH 9, 2012



PROTEST



Comes now OWEN J. MILLER

Printed or typed name of protestant

whose post office address is HC 62 BOX 62195, EUREKA, NEVADA 89316

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

whose occupation is FARMER

and protests the granting

of Application Number 81650

, filed on MARCH 9

, 2012

by RUBY HILL RANCH, LLC

for the

waters of UNDERGROUND

situated in EUREKA

an underground source or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

As the owner of the well in which permit 20376 has its current point of diversion, I am concerned for several reasons about the application to change the point of diversion: 1) This is already a very stressed point of diversion. So why stress it more with another new point of diversion so close (approximately 700 ft.), proposed to pump in excess of 700 gpm. 2) In light of this fact, the land intended to be irrigated has not been irrigated for well over 15 years. This is way past the 5 years allowed without beneficial use, causing a forfeiture of these water rights. Furthermore, the State Engineer has pending a notice of such forfeiture to the applicant.

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

[Handwritten signature of Owen J. Miller]

Agent or protestant

OWEN J. MILLER

Printed or typed name, if agent

Address

HC 62 BOX 62195

Street No. or PO Box

EUREKA, NEVADA 89316

City, State and ZIP Code

(775) 237-5006

Phone Number

E-mail

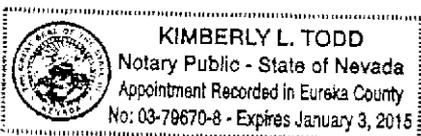
Subscribed and sworn to before me this

8th

day of

May

2012



[Handwritten signature of Kimberly L. Todd]

Notary Public

State of Nevada

County of Eureka

RECEIVED 2012 MAY 10 AM 11:02 STATE ENGINEERS OFFICE

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