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

IN THE MATTER OF APPLICATION NUMBER 82268
FILED BY SADLER RANCH, LLC C/O DOUG FRAZER
ON NOVEMBER 02, , 20 12

PROTEST

FILED
DEC 24 2012
STATE ENGINEER'S OFFICE

Comes now JAMES E. GALLAGHER AND JAMES T. GALLAGHER
Printed or typed name of protestant

whose post office address is HC 62 BOX 62143, EUREKA, NEVADA 89316
Street No. or PO Box, City, State and ZIP Code

whose occupation is FARMER and protests the granting

of Application Number 82268, filed on NOVEMBER 02, 20 12

by SADLER RANCH, LLC C/O DOUG FRAZER 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:

1. DIAMOND VALLEY IS AN OVERAPPROPRIATED, DESIGNATED BASIN. GRANTING OF NEW GROUNDWATER APPROPRIATIONS WOULD BE INAPPROPRIATE AND DETRIMENTAL TO THE BASIN.
2. APPROVAL OF THIS APPLICATION WOULD BE CONTRARY TO THE STATE ENGINEER'S DIRECTION GIVEN TO THE WATER RIGHTS HOLDERS IN DIAMOND VALLEY TO SEEK SOLUTIONS TO THE OVERDRAFT SITUATION.
3. THE AMOUNT OF WATER APPLIED FOR IN THE APPLICATION GREATLY EXCEEDS THE AMOUNT OF WATER EVER PUT TO BENEFICIAL USE THROUGH ACTIVE IRRIGATION AND IS OVER 2550 AFA MORE THAN REPORTED BY USGS IN THE MID-1960s TO FLOW FROM THE SPRINGS.
4. THE RANCH AND WATER WERE PURCHASED UNDER FULL KNOWLEDGE THAT THE WATER WAS NOT THERE.

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 James E. Gallagher James T. Gallagher
Agent or protestant

JAMES E. GALLAGHER AND JAMES T. GALLAGHER
Printed or typed name, if agent

Address HC 62 BOX 62143
Street No. or PO Box

EUREKA, NEVADA 89316
City, State and ZIP Code

(775) 237-5557
Phone Number

jgeu45@gmail.com
E-mail

RECEIVED
2012 DEC 24 AM 11:55
STATE ENGINEERS OFFICE

Subscribed and sworn to before me this 18th day of DECEMBER, 20 12

Toni M. Wright
Notary Public

TONI M. WRIGHT
Notary Public - State of Nevada
Appointment Recorded in Eureka County
No: 99-34907-8 - Expires December 20, 2014

State of Nevada
County of Eureka

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

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.