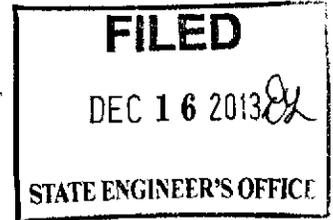


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 83130
FILED BY USDI Bureau of Land Management
ON November 18, 2013



PROTEST



Comes now Mike Lemich

Printed or typed name of protestant

whose post office address is P.O. Box 150011, Ely, Nevada 89315

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

whose occupation is Building Contractor/Government

and protests the granting

of Application Number 83130

, filed on November 18

, 2013

by USDI Bureau of Land Management

for the

waters of Pot Springs

situated in White Pine

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:

Protest is filed pursuant to NRS.533.365, the grounds for protest are set forth in attachment "1" to this protest.

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

Agent or protestant

Mike Lemich

Printed or typed name, if agent

Address P.O. Box 150011

Street No. or PO Box

State of Nevada

County of White Pine

Ely, Nevada 89315

City, State and ZIP Code

Subscribed and sworn to before me on 12/09/2013

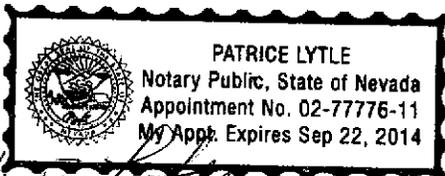
775-289-2425/775-296-0674

Phone Number

by Mike Lemich

mlemichcc@hotmail.com

E-mail



Signature of Notary Public Required

Notary Stamp or Seal Required

RECEIVED
2013 DEC 16 PM 1:21
STATE ENGINEERS OFFICE

+ \$30 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

Attachment "1"

The applicant must recognize the provisions of NRS 533.367 which states the following:

- 1.) Before a person may obtain a right to the use of water from a spring or water which has seeped to the surface of the ground, the person **must ensure** that wildlife which customarily uses the water **will have access to it**.
The state Engineer may waive this requirement for domestic use.
(underlining added)
- 2.) Wild horses are not considered "wildlife" therefore wild horses must be deleted from the application.
- 3.) The Applicant can file a separate application to appropriate water from the subject spring for wild horse watering subject to existing rights and unappropriated water available at the source.
- 4.) The BLM must get a wild horse management plan in place in order to balance the use of the habitat for the benefit of all uses including but not limited to wild horses.

RECEIVED
2013 DEC 16 PM 1:21
STATE ENGINEERS OFFICE