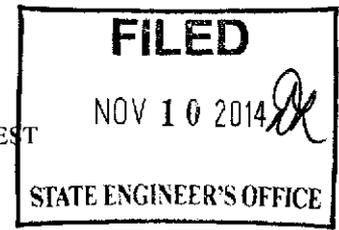


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 83949
FILED BY Eureka County
ON June 24, 2014



PROTEST

Comes now Ross E. de Lipkau
Printed or typed name of protestant
whose post office address is 50 W. Liberty St., Suite 750, Reno, NV 89501
Street No. or PO Box, City, State and ZIP Code
whose occupation is Attorney and protests the granting
of Application Number 83949, filed on June 24, 2014
by Eureka County for the

waters of an underground source situated in Eureka County
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:
Refer to Exhibit A attached hereto.

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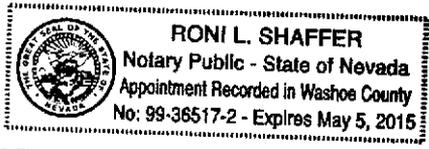
THEREFORE the Protestant requests that the application be denied
Denied, issued subject to prior rights, etc., as the case may be
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Ross E. de Lipkau
Agent or protestant
Printed or typed name, if agent
Ross E. de Lipkau

Address 50 W. Liberty St., Suite 750
Street No. or PO Box
Reno, NV 89501
City, State and ZIP Code
775-323-1601
Phone Number
rdelipkau@parsonsbehle.com
E-mail

State of Nevada
County of Washoe
Subscribed and sworn to before me on November 10, 2014
by ***Ross E. de Lipkau***

Roni L. Shaffer
Signature of Notary Public Required



Notary Stamp or Seal Required

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

EXHIBIT A

1. The ~~Kobeh Valley~~ ^{Stevens} groundwater basin, assigned Basin 152 by the Nevada State Engineer, is fully appropriated.
2. The granting of this application would adversely affect existing rights, including wildlife uses.
3. The granting of Application 83949 is detrimental to the public interest.
4. The granting of Application 83949 would cause injury to domestic wells.
5. The filing of Application 83949 is disingenuous in that the use sought on the application is "municipal" where the actual use for agricultural or recharge purposes as required by NRS 534.250, *et seq.*
6. The application is speculative and that there is no current need for the water sought.
7. The applicant has failed to comply with the provisions of NRS 533.370(4).
8. The applicant has no statutory authority to seek water rights for the benefit of third party irrigators.
9. The permittee is speculating that water will be available at an indefinite period of time when current use has ceased.

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