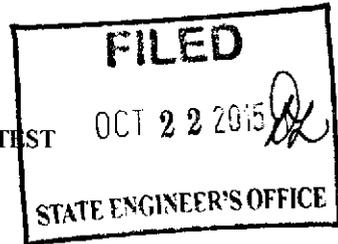


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 85373
FILED BY Tony and R'Deen Diebold
ON August 24, 20 15



Comes now Tim Mayer (agent for the U.S. Fish and Wildlife Service)

Printed or typed name of protestant

whose post office address is 911 NE 11th Ave, Portland, OR 97232-4181

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

whose occupation is Hydrologist with U.S. Fish and Wildlife Service, agency of the Federal government and protests the granting

of Application Number 85373, filed on August 24, 20 15

by Tony and R'Deen Diebold for the

waters of Underground situated in Humboldt 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:

The Service holds a vested claim (V02283) to Five Mile springs. The proposed application for groundwater is located less than a 1/4 mile south of the Sheldon National Wildlife Refuge and Five Mile Springs. The Service is concerned that pumping that close to the spring will affect spring flows, possibly drying it up. There is no information on the source of groundwater in the application and whether that source is the same as for the spring.

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

Tim Mayer

Agent or protestant

Tim Mayer

(Water Resource Branch Chief)

Printed or typed name, if agent

Address

911 NE 11th Ave

Street No. or PO Box

Portland, OR 97232-4181

City, State and ZIP Code

503 231-2395

Phone Number

tim_mayer@fws.gov

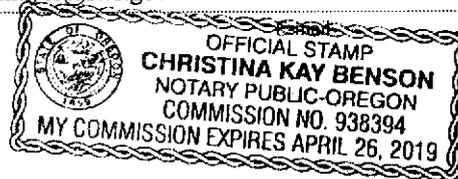
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2015 OCT 22 PM 12:10
STATE ENGINEER'S OFFICE

Oregon
State of ~~Nevada~~

County of Multnomah

Subscribed and sworn to before me on *10/24/2015*

by Tim Mayer



[Signature]
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.**