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Exb 3

Susan L. Fallini, Joe B. Fallini, Helen Fallini Living Trust
Twin Springs Ranch
HC-76-Box 1100
Tonopah, NV 89049

January 30, 1994

Division of Water Resources
Capitol Complex
201 S. Fall Street
Carson City, NV 89710

Attention: State Engineer

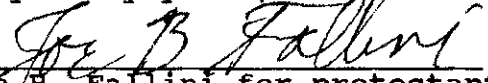
Re: Notifications of U.S.D.I. Bureau of Land Management

Gentlemen:

We enclose duplicate originals of a Protest of the undersigned to the identified Notifications, along with our check payable to you in the amount of \$10.00.

We enclose an additional copy of the Protest, executed as an original, upon which we will appreciate your applying the date of receipt stamp of this filing and returning this to us within the enclosed self addressed, stamped envelope.

Very truly yours,


Joe B. Fallini for protestants.

m 1 of 5

ASSEMBLY NATURAL RES., AGRICULTURE & MINING
DATE: 5/12/03 ROOM: 3141 EXHIBIT M 1-5
SUBMITTED BY: Joe Fallini

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

In the Matter of Notification
Numbers R06050-R06161 (inc exc
R06089, R06135 and R06154), filed
By U.S.D.I. Bureau of Land
Management on September 15, 1993,
to appropriate waters of various
sources within Nevada.

Come now Susan L. Fallini, Joe B. Fallini, Helen Fallini
Living Trust, whose post office address is Twin Springs Ranch,
HC-76, Box 1100, Tonopah, Nevada 89049, whose occupation is
livestock raising and marketing, and protest each of the
Notifications identified in the caption which were filed on
September 15, 1993 by U.S.D.I., Bureau of Land Management to
express an appropriation of waters of various sources within Nye
County, State of Nevada, for the following reasons and on the
following grounds. None of such Notifications were served on
protestants and the Notifier did not inform protestants of such
filings.

All of such Notifications except for R06089, R06135 and
R06154 pertain to claimed sources of water within the boundary of
the Reveille Allotment of said County and State; the exceptions
pertain to claimed water sources without said boundary and
protestants claim no right, title, or interest therein.

All of the protested Notifications claim authority of
the Executive Order of April 17, 1926 (PWR 107) and none of the
protested Notifications qualify for such authority for the
following reasons:

1. The following Notifications duplicate previous Notifications
filed by U.S.D.I., Bureau of Land Management.

<u>Current Claim</u>	<u>Previous Claim</u>
R06091	R05228
R06092	R05230
R06123	R05229
R06122	R05232

On January 23, 1990 the State Engineer issued his
Ruling In the Matter of Application Numbers 52805, 52806, 52807
and 52823 of protestants and their predecessors in interest, and
said ruling denied the protests of Notifier and approved said
applications. The above Notifications purport to assert that

which had been asserted by said denied protests.

The water sources described within the Notifications are not subject to reservation pursuant to the Order of Withdrawal-Public Water Reserve No. 107 because such water sources are subject to pre-existing valid rights of protestants, and there is insufficient water provided by such sources to satisfy in whole or in part claims junior to the prior rights of protestants.

2. The following are duplicating notices: RO6058 and RO6060 duplicate RO6059; RO6084 duplicates RO6081.

3. RO6073 is a Notice pertaining to a water source arising on the private land of protestants, and the water from such source does not flow from the private land to become public water.

4. There is no water source at the place described within the following Notifications:

RO6061, RO6063, RO6064, RO6066, RO6067, RO6068, RO6073,
RO6111, RO6112, RO6113, RO6116, RO6119, RO6124, RO6140,
RO6146.

5. The water sources described within the following Notifications are neither springs nor waterholes in that each water source was artificially developed:

RO6050, RO6051, RO6052, RO6053, RO6054, RO6055, RO6056,
RO6057, RO6059, RO6062, RO6065, RO6069, RO6070, RO6071,
RO6072, RO6074, RO6075, RO6078, RO6079, RO6080, RO6082,
RO6083, RO6085, RO6086, RO6087, RO6088, RO6090, RO6091,
RO6092, RO6093, RO6094, RO6095, RO6096, RO6097, RO6098,
RO6099, RO6100, RO6101, RO6102, RO6103, RO6104, RO6105,
RO6106, RO6107, RO6110, RO6114, RO6115, RO6117, RO6118,
RO6120, RO6121, RO6122, RO6123, RO6125, RO6126, RO6127,
RO6128, RO6129, RO6130, RO6131, RO6132, RO6133, RO6134,
RO6136, RO6137, RO6139, RO6141, RO6142, RO6143, RO6144,
RO6145, RO6147, RO6148, RO6149, RO6150, RO6151, RO6152,
RO6153, RO6155, RO6156, RO6157, RO6158, RO6159, RO6160,
RO6161.

6. The water sources described within the following Notifications are not subject to reservation pursuant to the Order of Withdrawal Public Water Reserve No. 107 because such water sources were subject to pre-existing valid rights of protestants and there is insufficient water provided by such sources to satisfy in whole or in part claims junior to the prior rights of protestants:

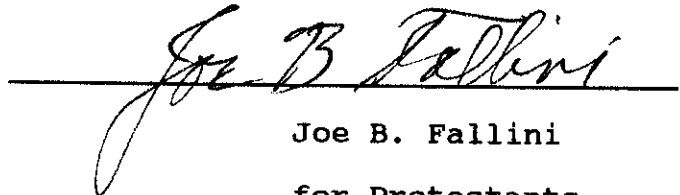
RO6076, RO6077, RO6081, RO6108, RO6109, RO6138.

7. Protestants own, and Notifier is collaterally estopped to deny that protestants own water rights to all known waters within

the Reveille Allotment. Fallini et al. v Hodel et al., 783F2 1343 (9th Cir. 1986); Fallini et al. vs Hodel et al., R-85-535BRT, USDC, NV, Finding #43, Nov. 28, 1986.

8. The reservation claimed by each Notification does not meet one or more of the criteria prescribed for such reservations by the Nevada State Engineer in his Order of Determination of the Relative Rights in and to the Waters of Camp Valley Creek.

Protestants request that each Notification be rejected as a spurious, vagrant, and invalid claim or cloud upon the existing prior right of protestants with respect to each water source described, and that an order be entered to that effect and for such other and additional relief as the State Engineer deems just and proper.



Joe B. Fallini

for Protestants
Twin Springs Ranch
HC-76 Box 1100
Tonopah, NV 89049

Subscribed and Sworn to before me this 30th day of January 1994.

State of Nevada
County of Lincoln

STATE OF NEVADA)
) ss
County of Lincoln)

First being sworn, Joe B. Fallini says:

I am one of the plaintiffs in an action pending in the United States Court of Federal Claims entitled Susan L. Fallini, et al. v. The United States No. 92-809 L. Attached is a copy of a letter mailed January 30, 1994 to the addressee named therein with a copy of the documentary enclosure to which it refers.



Joe B. Fallini

Subscribed and sworn to before me this January 30, 1994.

Notary Public for Nevada
Lincoln County
My commission expires:

Mark Engle's notary