

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

IN THE MATTER OF APPLICATION NUMBER.....71203.....,
FILED BY.....THOMAS S. BUQO.....,
ON...MAY 11....., 20...04..., TO APPROPRIATE THE
WATERS OFUNDERGROUND.....

PROTEST

Comes now.....Vidler Water Company, Inc.....
Printed or typed name of protestant
whose post office address is.....704 W. Nye Lane, Suite 201 / Carson City, NV 89703.....
Street No. Or P.O. Box, City, State and Zip Code.
whose occupation is and protests the granting
of Application Number71203....., filed onMay 11....., 20.....04.....
byThomas S. Buqo.....to appropriate the
waters ofUnderground.....situated inNye.....
Underground or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

.....See attached sheet.....

THEREFORE the Protestant requests that the application beDenied.....
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.

SignedJennifer Morgan.....
Agent or protestant

.....Jennifer Morgan.....
Printed or typed name, if agent

Address.....704 W. Nye Lane, Suite 201.....
Street No. or P.O. Box No.

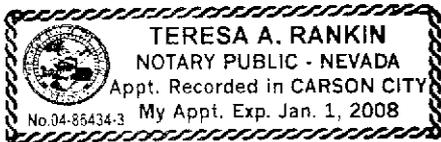
.....Carson City, NV 89703.....
City, State and Zip Code No.

Subscribed and sworn to before me this 22nd day of September, 2004

.....Teresa A. Rankin.....
Notary Public

State of Nevada

County of Carson



RECEIVED
06 SEP 22 PM 3:45
STATE ENGINEER'S OFFICE

+ \$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

71203 Protest Grounds

Application Number 71203 intends to divert water at a rate of 11.50 cfs for proposed quasi-municipal purposes. This diversion rate equates to more than 8,000 acre-feet which "will be temporarily transferred to various points of use" as stated by the applicant. These various points of use are not identified and are likely located on property controlled by governmental agencies. In fact, the point of diversion of Application Number 71203 is located on land managed by the Department of Energy as part of the Nevada Test Site. The applicant does not have control over the land upon which he intends to divert water.

While the protestant understands that the applicant, Mr. Buqo, has been retained by the County of Nye, Nevada for professional services it is uncertain as to whether the applicant himself has the financial ability to complete the necessary works.

The protestant, Vidler Water Company, Inc. has applications pending that are senior to Application Number 71203 in Mercury Valley. The granting of this application would impact these senior filings.