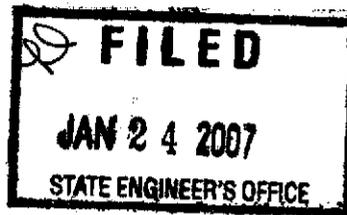


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER: 75154  
FILED BY: Kenneth R. Buckingham  
ON: December 4, 2006  
TO APPROPRIATE THE WATERS OF Eureka County



PROTEST

Comes now U.S. Bureau of Land Management  
(Printed or typed name of protestant)

whose post office address is

50 Bastian Road Battle Mountain, NV, 89820  
(Street No. Or P.O. Box, City, State and Zip Code)

whose occupation is ...

Public Land Administrator

and protests the granting of Application Number 75154, filed on December 4, 2006 by Kenneth R. Buckingham to appropriate the waters of Underground-Baumann's Well # 2 situated in Eureka County, State of Nevada,  
(Underground or name of stream, lake, spring or other source)

for the following reasons and on the following grounds, to wit:

The application, which is being protested, is for water rights on an existing site of which the water rights were applied for on July 16, 1948 (Application number 12544). In 1951, following submittal of proof of beneficial use, the State of Nevada granted a certificate of appropriation for this site (Certificate number 3732). This new application will be in direct conflict with the provisions of these documents.

The present holders of these documents are Tom and Volina Connolly of the Flying T Ranch, located in Eureka County. The State of Nevada transferred these documents to the Connolly's on July 14, 2003. Mr. Connolly also holds a current grazing permit for this location (BLM Authorization Number 2706002).

On February 17, 1967, under the mandates provided by Section 4 of the Taylor Grazing Act of 1934, the Battle Mountain BLM Field Office issued a Range Improvement Application and Permit for this site for the purpose of furnishing stock with water. That application is still valid and on record in the Battle Mountain Field Office (Permit number N6-4-462).

The BLM wishes to facilitate the orderly administration of the range and minimize unauthorized livestock drift between the JD and Grass Valley allotments.

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)

For Gerald M. Smith, Field Manager  
(Printed or typed name, if agent)

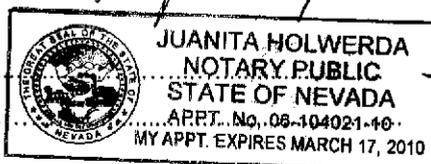
Address: 50 Bastian Road  
(Street No. or P.O. Box No.)

Battle Mountain, NV 89820.  
(City, State, and Zip Code)

775-635-4010  
(Phone Number)

Subscribed and sworn to before me this 19<sup>th</sup> day of January, 2007.....  
Notary Public

State of Nevada  
County of Lander



*Gene Seiditz*  
GENE SEIDITZ

STATE ENGINEER'S OFFICE  
2007 JAN 24 AM 10:48

*Juanita Holwerda*  
Juanita Holwerda

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

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