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 Dec. 4, 20 06, TO APPROPRIATE THE
WATERS OF Eureka County

PROTEST

FILED
JAN 19 2007
STATE ENGINEER'S OFFICE

Comes now Tom & Volina Connolly
Printed or typed name of protestant
whose post office address is HC 66 Box 60 Crescent Valley, NV. 89821
Street No. Or P.O. Box, City, State and Zip Code.
whose occupation is Rancher and protests the granting
of Application Number 75154, filed on Dec. 4, 20 06
by Kenneth R. Buckingham to appropriate the
waters of Baumann Well#2 Permit#12544 situated in Eureka County
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:

We, Tom & Volina Connolly purchased Permit #12544, Baumann Well #2, with the Baumann Ranch from George and Edna Panola, in 2001. The transfer of water rights took place July 14,2003, as evidenced by accompaning letter. This places our ownership at less than a four year period, prior to Buckingham's filing on our permit. Our intent is to place a submersible pump in the well in 2007 and make benefical use of the water for livestock watering. (See attached paper)

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 Tom Connolly
Agent or protestant
Volina Connolly
Printed or typed name of agent

Address HC 66 Box 60
Street No. or P.O. Box No.
Crescent Valley NV 89821
City, State and Zip Code
775-964-2038
Phone Number

Subscribed and sworn to before me this 17th day of Jan. 20 07
Sarah Kivisto
Notary Public
State of Nevada
County of Elko

SARAH KIVISTO
Notary Public, State of Nevada
Appointment No. 04883666
My Appt. Expires Apr. 1, 2008

RECEIVED
2007 JAN 19 AM 10:56
STATE ENGINEER'S OFFICE

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

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The Baumann Well is a vital part of our future use of this area.

Please take note of letter dated Dec. 6, 2006, from State Division of Water Resources, stating the States position on our Permit # 12544.

Thank you for your attention to the above.

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2007 JAN 19 AM 10: 56
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2007 FEB 14 AM 11:41
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2-12-2007

State Water engineer:

We wish to present more information to the protest we filled 1-19-2007, ETR 2417, in the matter of Ken Buckingham's application No. 75154.

Please find enclosed, The Dept. of Interior's closure notice to grazing in the area of permit No. 12544 from March 1, 2000 until the conditional lifting in Oct 10, 2002. We could not use the well during this period of time.

Also presented is the first two pages of the Final Multiple use Decision for the J.D. allotment. The bottom paragraph on page 1 and the conclusion of it on the top of page 2 clearly indicates Mr. Buckingham is mandated to haul water if his cattle are in those areas. One of the well seems to be prohibited from him by the Dept of The Interior.

Since filing the protest on 1-19-07 we have put a submersible pump in the well and have pumped

water into a watering trough and watered cattle at the Baumann well #2 1-29-07. The pictures presented are proof.

If application No. 75154 comes to a hearing please inform us as to the date, time, and place.

Thank you for your attention to the above.

Sincerely

Ann Arnold