

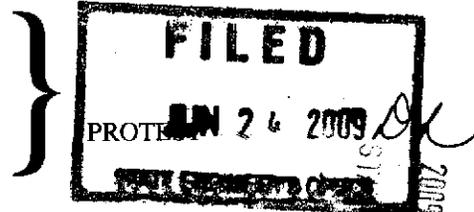
IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 78321

FILED BY Baker Ranches, Inc.

ON April 17, 2009 TO APPROPRIATE THE

WATERS OF Unnamed Spring 06



Comes now United States of America, Humboldt Toiyabe National Forest

Printed or typed name of protestant

whose post office address is 1200 Franklin Way, Sparks, NV 89431

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

whose occupation is Federal Land Management Agency

and protests the granting

of Application Number 78321, filed on April 17, 2009

by Baker Ranches, Inc.

to appropriate the

waters of Unnamed Spring 06 situated in White Pine

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:

The source, Unnamed Spring 06, as well as the point of diversion, place of use and construction proposed, all in Section 15, T15N, R70E, MDB&M, are on National Forest System (NFS) land. All occupancy and use of NFS land must be authorized under Title 36 Code of Federal Regulations. The applicant is not authorized to perform the construction proposed in this application and as such cannot put the water to beneficial use without being in violation of federal regulation and Forest Service policy.

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 Jane A. Kivander
Agent or protestant

Jeanne Evenden, Director of Lands

Printed or typed name, if agent

Address 324 25th Street

Street No. or PO Box

Ogden, UT 84401

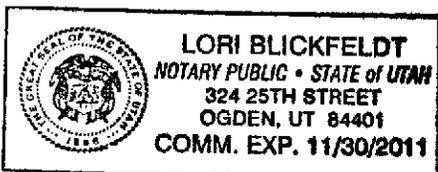
City, State and ZIP Code

(801) 625-5809

Phone Number

Subscribed and sworn to before me this 23rd day of June, 2009

Joni D. Dreyfus
Notary Public



State of Utah

County of Weber

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

dy