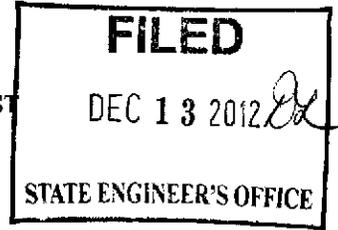


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 82245
FILED BY Keith E. Carson, Trustee, Keith E. Carson Living Trust
ON October 30, 2012



PROTEST



Comes now the Ely Municipal Water Department
Printed or typed name of protestant

whose post office address is 501 Mill Street, Ely, NV 893201
Street No. or PO Box, City, State and ZIP Code

whose occupation is Wholesale Water Purveyor and protests the granting

of Application Number 82245, filed on October 30, 2012

by Keith E. Carson, Trustee of the Keith E. Carson Living Trust dated March 23, 1995 for the

waters of Murry Creek situated in White Pine
an underground source or name of stream, lake, spring or other source

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

Please see attached Exhibit A.

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.

RECEIVED
2012 DEC 13 PM 12:30
STATE ENGINEERS OFFICE

Signed

Agent or protestant

Emil W. Almborg, Jr., P.E./P.L.S.; Contract City of Ely Engineer

Printed or typed name, if agent

Address 501 Mill Street

Street No. or PO Box

Ely, NV 89301

City, State and ZIP Code

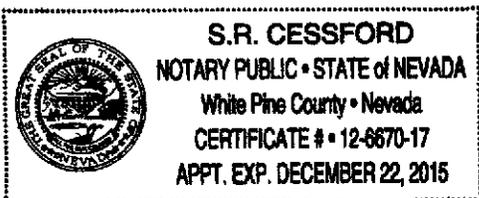
(775) 289-2430

Phone Number

almborg@basineng.com

E-mail

Subscribed and sworn to before me this 3rd day of December, 2012



Notary Public

State of Nevada

County of White Pine

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

Exhibit A

Ely Municipal Water Department's Protest of Application No. 82245

This water right application should be denied based on the following grounds:

1. Murry Creek is currently dry and the only water regularly flowing in Murry Creek is waters that are being pumped under Ely Municipal Water Department Permit Nos. 79837, 79839, and 79841. The Ely Municipal Water Department does not want to be obligated to pump water into Murry Creek to provide water for any application that may be granted.
2. The Ely Municipal Water Department is the downstream user of Murry Creek surface waters under Certificates 7946 and 1085 and would be detrimentally affected by the issuance of this application.
3. The applicant has not demonstrated that the rate of flow of Murry Creek is sufficient to support the use under this application without the pumping of the aforementioned water rights.