

EXHIBIT A

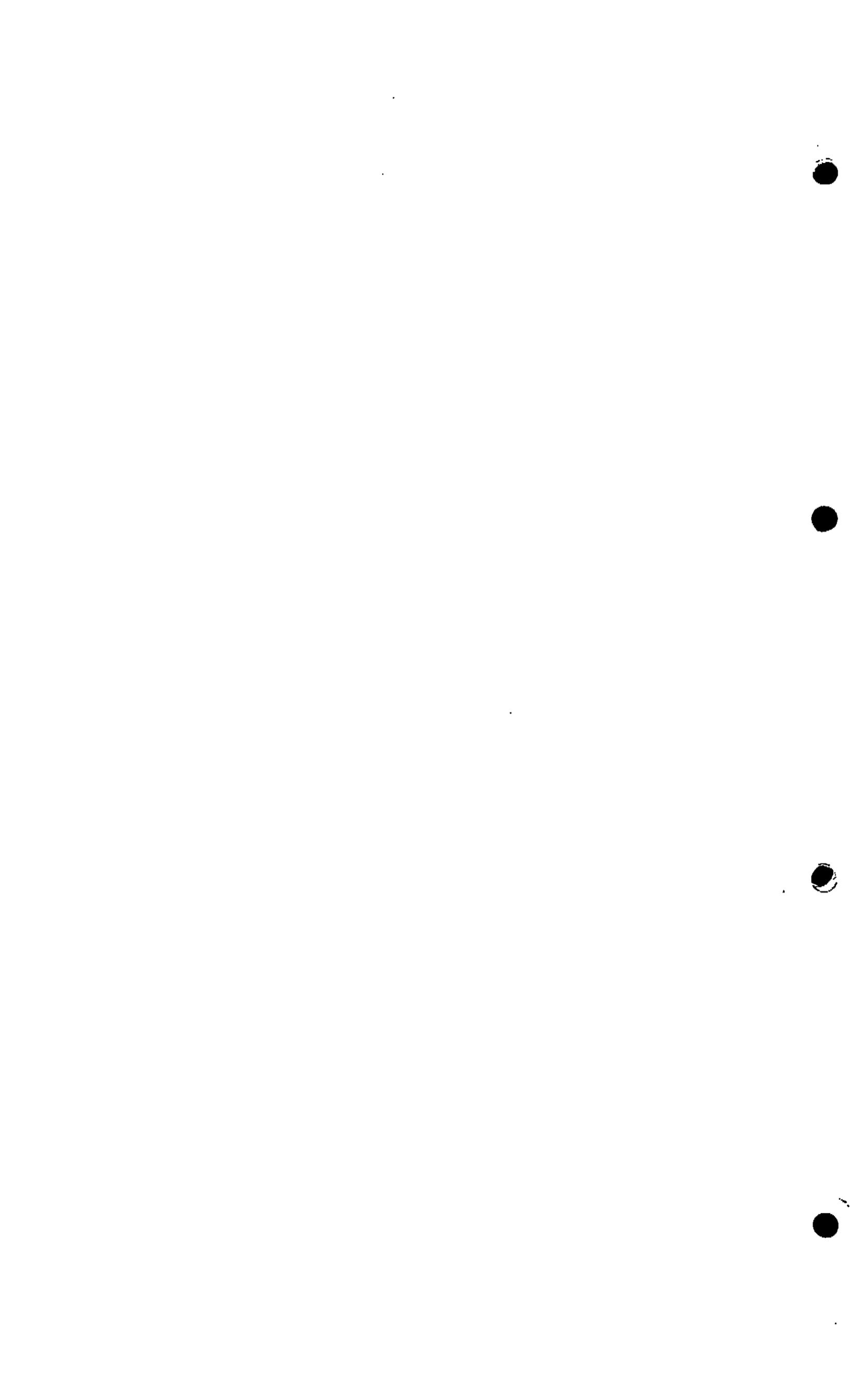
PROPOSED PLACE OF USE

- Section 2: $S\frac{1}{2}$.
- Section 3: $S\frac{1}{2}$.
- Section 4: $S\frac{1}{2}$ excepting the $SW\frac{1}{4}$ $SW\frac{1}{4}$.
- Section 9: Portion of $NE\frac{1}{4}$ $NW\frac{1}{4}$; portion of $E\frac{1}{2}$.
- Section 10 and 11: All.
- Section 13: Portions of $W\frac{1}{2}$ $SW\frac{1}{4}$.
- Section 14: All.
- Section 15: Portions of $N\frac{1}{2}$.
- Section 16: $E\frac{1}{2}$ $NE\frac{1}{4}$ $NE\frac{1}{4}$.
- Section 23: Portions of $E\frac{1}{2}$.
- Section 24: $SW\frac{1}{4}$ $SE\frac{1}{4}$; $W\frac{1}{2}$ excepting the $NE\frac{1}{4}$ $NW\frac{1}{4}$.
- Section 25: $NW\frac{1}{4}$; portions of $NE\frac{1}{4}$ $SW\frac{1}{4}$; portions of $NW\frac{1}{4}$ $SE\frac{1}{4}$.
- All in T.32N., R.55E., M.D.B.&M.



Protest

5/12/92 Boyd Ranch: 5/13/92 Adobe Hills Ranch: 5/13/92 Eureka County:



APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office DEC 20 1991

Returned to applicant for correction JAN 15 1992

Corrected application filed

Map filed MAR 5 1992

The applicant County of Elko

Room 6, Court House, of Elko

Nevada 89801, hereby make application for permission to appropriate the public

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is underground (water previously applied for under application #56833)

2. The amount of water applied for is 5.0 c.f.s. second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Recreation

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks" See "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point within the NE 1/4 Section 3,

T. 33N, R. 51E, M D M from which the NE corner of Section 36, in

T. 34N, R. 51E, bears N. 60° 53' E, 13,592 ft. dist.

6. Place of use See attached "Exhibit A"

7. Use will begin about January 1 and end about December 31, of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Works of diversion have been, or will

be constructed under authority granted under application #56833.

- 9. Estimated cost of works \$20,000,000.00 for dam construction and appurtenances at the proposed place of use.
- 10. Estimated time required to construct works diversion works to be constructed by Newmont Gold Company, under their respective applications-estimated 3 years
If well completed, describe works.
- 11. Estimated time required to complete the application of water to beneficial use 10 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

County of Elko desires to place to beneficial use for recreation that amount of water granted under the purposes of applications #56831 through 56839, yearly determined by the State Engineer to be in excess of the mining, milling and related use needs, and such other groundwater replacement requirements ordered by the State Engineer. It is further the intention of the applicant to quit-claim to the state Department of Conservation and Natural Resources its interest in this application or its resultant permit.

By s/William A. Nisbet
421 Court Street
Elko, Nevada 89801

Compared cc/ mv

Protested 4/2/92 by Lander County; 4/6/92 by City of Lovelock; 4/7/92 by Maggie Creek Ranch; 4/8/92 by Pershing County;

AGENT **DEC 09 2002**
WITHDRAWN BY AGENT *cam*

OF STATE ENGINEER

William A. Nisbet, P.E. STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before _____

Proof of completion of work shall be filed before _____

Application of water to beneficial use shall be filed on or before _____

Proof of the application of water to beneficial use shall be filed on or before _____

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, _____
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this _____ day of _____
A.D. _____

State Engineer