

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

Date of filing in State Engineer's Office APR 17 2006

Returned to applicant for correction MAY 02 2006

Corrected application filed _____

Map filed APR 13 1988 under 74206

The applicant **James E. McKay** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **2.0** second feet.
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Gold mining and milling.**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kind of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks") **Gold mining and milling.**
 - (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 **NW¼ SE¼ Sec 3, T18N R24 E MDBM at a point from which the east quarter section corner of said section 3 bears N 64° 54' E 1805.03 ft. feet. Please reference the map submitted with Application Number 52005.**
6. Place of Use **S½ Section 3 T18N R24E, MDBM.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Electrically driven pump. 10-inch cased well, estimated 600 feet deep.**
9. Estimated cost of works **\$55,000.**
10. Estimated time required to construct works **3 years.**
11. Estimated time required to complete the application of water to beneficial use **10 years.**

74207

12. Remarks: Open pit gold mining and milling operation will produce over 10,000 tons of ore per day and water requirements are not expected to exceed 2240 acre-feet annually

By James E. McKay
s/James E. McKay
6015-E South Virginia St. PMB 475
Reno NV 89502

Compared sc/ gkl
Protested By Chruchill County on Aug. 17, 2006;

DENIAL OF STATE ENGINEER

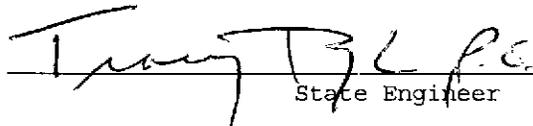
This application is hereby denied on the grounds that granting this application would conflict with existing rights and threaten to be detrimental to the public interest.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of June, A.D. 2008



State Engineer