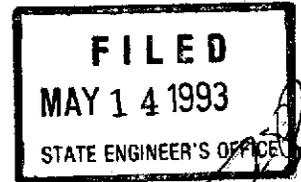


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA



IN THE MATTER OF APPLICATION NUMBER 58380, George H. Denson, Agent FILED BY for Applicant, Lyon County, ON December 9 19 92, TO APPROPRIATE THE (a surface) WATERS OF Copper Lake spring fed lake

PROTEST

Comes now Rick Havenstrite Printed or typed name of protestant

whose post office address is 102 Burch Drive, Yerington, NV 89447 Street No. or P.O. Box, City, State and Zip Code

whose occupation is Project Manager, Arimetco Inc, and protests the granting

of Application Number 58380, filed on December 9, 19 92

by George H. Denson, Agent for Applicant, Lyon County to appropriate the waters of Copper Lake, a surface spring fed lake situated in S 1/2 Sec 16 & Sec 21 T 13 N R 25 E MDM

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

1. Principal concern is that under this application a request has been made to appropriate 44.5 cfs from the pit. This figure is in sharp contrast to the 20.0 cfs amount specified by W.C. 5233 assigned to the Walker River Irrigation District providing for water removal from the pit. W.C. 5233 further restricted the appropriation by specifying removal not to exceed 861.56 ac ft annually. Granting application No 58380 would almost surely have an adverse effect on other existing wells: creating severe draw-downs thus voiding existing beneficial usage rights given under numerous certificates of appropriation of water. Arimetco's underground sources described by WC# 4392, 4393, 4394, 4397, and others appear threatened.

2. Further, that granting application is in conflict with the initial intent of W.C. 5233 (Application No 15449) to be that excess water from mining operations be directed to the Walker River and be made available for Mason Valley irrigation by Walker River Irrigation District. The proposal is to make such water available for Quasi-Municipal purposes.

THEREFORE the protestant requests that the application be Denied (Denied, issued subject to prior rights, etc., as the case may be)

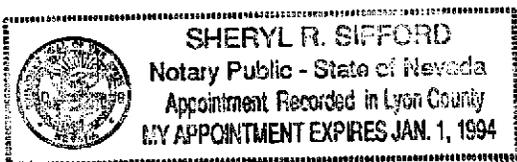
and that an order be entered for such relief as the State Engineer deems just and proper.

Signed Rick Havenstrite Agent or protestant

Rick Havenstrite Printed or typed name, if agent

Address 102 Burch Drive Street No. or P.O. Box No. Yerington, NV 89447 City, State and Zip Code No.

Subscribed and sworn to before me this 11th day of May 19 93



Sheryl R. Sifford Notary Public

State of Nevada

County of Lyon

\$10 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE. ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

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