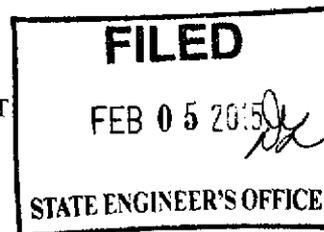


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 84547  
FILED BY McEwen Mining Inc.  
ON November 24, 2014



PROTEST



Comes now Kobeh Valley Ranch, LLC

Printed or typed name of protestant

whose post office address is 1726 Cole Blvd., Suite 115, Lakewood, CO 80401-2313

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

whose occupation is mining company

and protests the granting

of Application Number 84547

, filed on November 24

, 2014

by McEwen Mining Inc.

for the

waters of an underground source

situated in Eureka County

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:

Refer to Exhibit A attached hereto.

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

*Ross E. de Lipkau*  
Agent or protestant

Ross E. de Lipkau, Agent

Printed or typed name, if agent

Address

50 W. Liberty St., Suite 750

Street No. or PO Box

State of Nevada

Reno, NV 89501

City, State and ZIP Code

County of Washoe

775-323-1601

Phone Number

Subscribed and sworn to before me on 02.03.15

rdelipkau@parsonsbehle.com

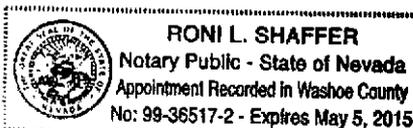
E-mail

by \*\*\*Ross E. de Lipkau\*\*\*

STATE ENGINEER'S OFFICE  
2015 FEB 05 AM 11:50  
1726 COLE BLVD  
LAKEWOOD CO

*Roni L. Shaffer*

Signature of Notary Public Required



Notary Stamp or Seal Required

+ \$30 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

**EXHIBIT A TO PROTEST OF APPLICATION NOS. 84546 AND 84547**

1. Protestant Kobeh Valley Ranch, LLC (hereinafter "Protestant"), asserts that the Kobeh Valley Groundwater Basin is fully appropriated, with Permit 82105 being the "last" application granted. The applications, if granted, for 500 afa, will result in the Kobeh Valley Groundwater Basin being over-appropriated.

2. Protestant is the owner of a multitude of groundwater rights, their source being the Kobeh Valley Groundwater Basin. Thus, the granting of the above-referred to applications will adversely conflict with the prior rights of the Protestant, which action is prohibited by law. (NRS 533.370(2).) The proposed points of diversion of applications 84546 and 84547 are too close in proximity to the wells and prior rights of Protestant and therefore conflict with existing groundwater rights of Protestant.

3. The applications, if granted, will adversely impact and conflict with existing surface water rights, including springs owned or controlled by third parties.

4. The applications, if granted, will prove detrimental to the public interest.

5. Protestant incorporates by reference the testimony and exhibits presented by Martin Etcheverry, the owner of the land at the site of the proposed applications and points of diversion, at the administrative hearings before the Nevada State Engineer culminating in Rulings 5966 and 6127, wherein Martin Ethcheverry advanced reasons why the applications of Protestant, the subject of said hearings, should be denied. That testimony and the exhibits, as offered by Martin Ethcheverry and others, discloses the pending applications, if granted, will conflict with and have an adverse impact on the prior rights of Protestant.

6. The Applicant does not own or control the real property upon which the point of diversion is located. That being true, the State Engineer must deny Applications 84546 and 84547.

Wherefore, it is respectfully requested the State Engineer deny, without the necessity of an administrative hearing or formal field investigation, the above-entitled applications.

RECORDED  
2010 FEB -5 AM 11:50  
STATE ENGINEERS OFFICE