AMENDED

APPLICATION FOR PERMIT Serial No. 10001

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office DEC 16 1942
Returned to applicant for correction JAN 26 1943
Corrected application filed MAR 24 1943

The undersigned Basic Magnesium, Incorporated, acting for and on behalf of Defense Plant Corporation (Name of applicant) of Gabbs, Via Luning, County of Nye, State of Nevada, hereby makes 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.) Basic Magnesium, Incorporated (formerly Basic Ores, Inc.), a Nevada corporation incorporated on October 22, 1936; Defense Plant Corporation, incorporated under and by virtue of an Act of Congres dated August 22, 1940

1. The source of the proposed appropriation is Underground water (Name of stream, lake, or other source) in the W½ SE¼ of Sec. 33, T. 12 N., R. 36 E., M.D.B.&M.

2. The amount of water applied for is 0.78 (One second-foot equals 40 miners' inches) second-feet.

3. The water to be used for Mining, milling and domestic purposes (Irrigation, power, mining, manufacturing, domestic, or other use)

4. The water is to be diverted from its source at the following point: W½ SE¼ Sec. 33, T. 12 N., R. 36 E., M.D.B.&M., or at a point from which (Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.) the N.E. Cor. Sec. 33 T. 12 N., R. 36 E., M.D.B.&M. bears N. 22° 08' 20" E., 4268.96'

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is _____

(b) Description of land to be irrigated _____ (Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.)

(c) Use will begin about _____ (Month) and end about _____ (Month), of each year.

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Works to be located NE¼ SE¼ Sec. 33, T. 12 N., R. 36 E., M.D.B.&M. (Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.)

(f) Point of return of water to stream _____ (Describe in same manner as point of diversion.)

(g) State number and kinds of animals to be watered _____

(h) Use will begin about Jan. 1st (Month) and end about Dec. 31st (Month), of each year.

(i) Remarks _____

DESCRIPTION OF PROPOSED WORKS

Waters to be diverted from well of applicant by pump in the W½ of the SE¼

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

of said Sec. 33 at the point designed in No. 4 above and conveyed by a

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

six inch pipe to run N. 53° 05' E. approximately 1665 feet to a point S. 5° 22' W. 2967.33 feet from the common corner of Sec. 27, 28, 33 and 34, T. 12 N., R. 36 E., M.D.B.&M., where the water will be stored in a reservoir.

5. Estimated cost of works $2,500.00

6. Estimated time required to construct works One year

7. Remarks

For use of applicant

Basic Magnesium, Incorporated, acting for and on behalf of Defense Plant Corporation, Applicant.

By Geo. B. Thatcher
Its Attorney

Compared RMA-C.T.

This sheet inspected

, Engineer.

APPROVAL OF 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: This permit is issued subject to all prior rights on the source. It is understood that the 0.78 of a cubic foot of water per second herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.78 of a cubic feet per second.

Actual construction work shall begin on or before January 20, 1944

Proof of commencement of work shall be filed before February 20, 194

Work must be prosecuted with reasonable diligence and be completed on or before January 20, 1946

Proof of completion of work shall be filed before February 20, 1946

Application of water to beneficial use shall be made on or before January 20, 1947. Proof of the application of water to beneficial use must be filed with State Engineer on or before February 20, 1947

Filed Dec 16, 1942.

Proof of completion of work filed Oct 19, 1943

Proof of commencement of work filed Oct 19, 1943

Amended April 26, 1944

Cancelled APR 22 1957 because of failure of applicant to comply with provisions of permit.

State Engineer

WITNESS MY HAND AND SEAL this 20th day of July, 1943

Alfred Merritt Smith
State Engineer.

Compared RMA-CT