

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

Date of filing in State Engineer's Office AUG 22 1967

Returned to applicant for correction

Corrected application filed

Map filed Aug. 3, 1959 under 18091

The applicant EAGLE PICHER INDUSTRIES, INC. of P.O. DRAWER A LOVELOCK, NEV., County of PERSHING State of NEVADA 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.) Eagle Picher Industries, Inc. was incorporated under laws of Ohio on Jan. 10, 1887 at Cincinnati

1. The source of the proposed appropriation is underground Name of stream, lake or other source.

2. The amount of water applied for is 0.7 second-feet One second-foot equals 448.83 gals. per min.

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

3. The water to be used for Milling Irrigation, power, mining, manufacturing, domestic, or other use.

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. 11. Remarks") 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: existing well located 2,086.72 feet in a direction bearing N.12°-14'-30" W from the South 1/4 corner of section 33 T.28N., R.32E., M.D.B.&M. NE 1/4 SW 1/4 Sec.33, T.28N., R. 32 E. Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. Place of use: Colado plant site located in parts of the following 40acre tracts: Describe by legal subdivision, if on unsurveyed land it should be so stated.

NW 1/4 of SE 1/4 of Sec.33, T. 28 N., R. 32 E., M.D.B.&M.

SW 1/4 of NE 1/4 of Sec. 33, T. 28 N., R. 32 E., M.D.B.&M.

SE 1/4 of NW 1/4 of Sec. 33, T. 28 N., R. 32 E., M.D.B.&M.

NE 1/4 of SW 1/4 of Sec. 33, T. 28 N., R. 32 E., M.D.B.&M.

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

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.) Larger pump on existing well and pipelines to new facilities adjacent to existing milling facilities. State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works: \$5,900.00
10. Estimated time required to construct works: Pump - 30 days. Piping 10 months.
11. Remarks: This application is for water additional to that covered by permit No. 18091 and is to be used for dust recovery and waste disposal for the processing of diatomaceous earth in additional facilities under construction adjacent to existing milling facilities.

Applicant: EAGLE PICHER INDUSTRIES, INC.

By: s/ E. L. Spencer

Compared: hs/jw jb/dc

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 existing rights on the source. It is understood that the amount of water 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 beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening and an air line for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains 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 0.7 cubic feet per second.

- Actual construction work shall begin on or before: October 15, 1968
- Proof of commencement of work shall be filed before: November 15, 1968
- Work must be prosecuted with reasonable diligence and be completed on or before: October 15, 1969
- Proof of completion of work shall be filed before: November 15, 1969
- Application of water to beneficial use shall be made on or before: October 15, 1971
- Proof of the application of water to beneficial use shall be filed on or before: November 15, 1971
- Map in support of proof of beneficial use shall be filed on or before:

Commencement of work filed: DEC 6, 1968
 Completion of work filed: NOV 25, 1969
 Proof of beneficial use filed: OCT 30, 1970
 Cultural map filed:
 Certificate No. 7558 Issued: 2/9/71
 Recorded: 2/19/71, Bk 21 Page 559
 Perakine County Recorder

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of April

A.D. 19 68

Roland D. Westergard
 State Engineer