

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 25 1967

Returned to applicant for correction

Corrected application filed Map filed AUG 24 1967

The applicant Ruby Hill Mining Company, a Nevada Corporation, with its principal place of business at Eureka, County of Eureka

State of Nevada, hereby makes application for permission to change the

manner of use and place of use of 4.7 second feet

of water heretofore appropriated under Permit No. 19402

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground (TL Shaft) (Name of stream, lake or other source.)

2. The amount of water to be changed 4.7 second feet (Second feet, acre feet.)

3. The water to be used for milling, mining and domestic purposes (If for stock state number and kind of animals.)

4. The water heretofore used for irrigation and domestic uses (If for stock state number and kind of animals.)

5. The water is to be diverted at the following point S 52° 04' E 2108.9 ft. from the section corner common to Sections 9, 10, 15, 16, T. 19 N., R. 53 E., M.D. Mer., said point being situate in the NE 1/4 of the NW 1/4 of said Section 15, and being at the collar of the TL Shaft (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. The existing point of diversion is located within (Same as No. 5)

(If point of diversion is not changed, do not answer.)

7. Proposed place of use NE 1/4 NE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NE 1/4 Section 22, T. 19 N., R. 53 E., M.D. Mer. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

See area designated as "Place of Use" on attached map.

8. Existing place of use Sec. 9, NE 1/4 SE 1/4, SE 1/4 SE 1/4, SW 1/4 SE 1/4, NW 1/4 SE 1/4, SE 1/4 SW 1/4, NE 1/4 SW 1/4 Sec. 10, NW 1/4 SW 1/4, SW 1/4 SW 1/4 Sec. 15, NW 1/4 NW 1/4 Sec. 16, NE 1/4 NE 1/4 all in T. 19 N., R. 53 E., M.D. Mer. (See area designated as "Place of Use" under Permit No. 19402" on attached map.) (Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)

9. Use will be from January 1 to December 31 of each year. (Month) (Month)

10. Use has been from January 1 to December 31 of each year. (Month) (Month)

11. Description of proposed works.

The water will be pumped from the TL Shaft and conveyed by pipe approximately 1 1/3 miles to the Place of Use as designated on attached map.

12. Estimated cost of works in excess of \$25,000

13. Estimated time required to construct works within one year

14. Remarks: The water will be used for milling a complex ore in a mill to be constructed on applicant's property; for use in mine and mill shops, offices, change houses and staff houses; for make up water in the cooling systems of diesel engines and air compressors; for boiler feed water in a steam plant; for drill water, surface and underground; for fire protection; for domestic and culinary uses in the above described installations. (See attached map and map attached to Permit No. 19401)

Compared hs/jw hs/jw Applicant Ruby Hill Mining Company By s/ Benton Boyd Benton Boyd, Agent

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 to change the place and manner of use of the waters from an underground (TL Shaft) source as heretofore granted under Permit 19402 is issued subject to the terms and conditions imposed in said Permit 19402 and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and maintained at or near the source to facilitate the measurement and control of the water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.7 cubic feet per second, but not to exceed 1,120.0 acre-feet annually

Actual construction work shall begin on or before May 28, 1968
Proof of commencement of work shall be filed before June 28, 1968
Work must be prosecuted with reasonable diligence and be completed on or before May 28, 1969
Proof of completion of work shall be filed before June 28, 1969
Application of water to beneficial use shall be made on or before May 28, 1972
Proof of the application of water to beneficial use shall be filed on or before June 28, 1972
Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed June 7, 1968 IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of November
Certificate No. Issued A.D. 19 67
Recorded Bk. Page

2407 JUL 31 1973 CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT Roland D. Westergard STATE ENGINEER