

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... OCT 5 1970

Returned to applicant for correction..... NOV 23 1970

Corrected application filed..... DEC 7 1970

Map filed..... December 11, 1961, under 19401

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

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.) Incorporated on April 19, 1960, in the State of Nevada

1. The source of the proposed appropriation is..... Underground (Fad Shaft) Name of stream, lake or other source.

2. The amount of water applied for is..... 6 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, Mining and Domestic 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").....

(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: In the SE 1/4 NE 1/4 of Section 22,

T.19N., R.53E., M.D.B.&M., from which point of diversion the Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, Northeast Corner of said Section 22 bears N. 34° 16' E. a distance of 1,962.3 feet. it should be stated.

6. 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.19N., R.53E., Describe by legal subdivision, if on unsurveyed land it should be so stated.

M.D.B.&M.

7. Use will begin about..... January 1..... and end about..... December 1....., 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.) The water will be pumped from the Fad Shaft and piped to the place of use.

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..... \$30,000
10. Estimated time required to construct works..... 5 years
11. Estimated time required to complete the application to beneficial use.....
12. 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 cooling systems for diesel engines and air compressors; for fire protection, and for domestic and culinary uses in the above described installations. The estimated time required to complete the application of water to beneficial use is 5 years.

Applicant..... Ruby Hill Mining Company.....

By..... s/ J. V. Neuman, Jr.
 c/o U.S.S.R.&M. Company
 19th Floor University Club Building
 136 East South Temple Street
 Salt Lake City, Utah 84111

Compared..... jw/md jw/bk

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 / source 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 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..... 6.0..... cubic feet per second but not to exceed..... 1,395.5 m.g. annually.

- Actual construction work shall begin on or before..... November 7, 1971
- Proof of commencement of work shall be filed before..... December 7, 1971
- Work must be prosecuted with reasonable diligence and be completed on or before..... November 7, 1972
- Proof of completion of work shall be filed before..... December 7, 1972
- Application of water to beneficial use shall be made on or before..... November 7, 1977
- Proof of the application of water to beneficial use shall be filed on or before..... December 7, 1977
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... OCT 29 1971

Completion of work filed..... DEC 1 1972

Proof of beneficial use filed..... FEB 26 1990

Cultural map filed.....

Certificate No. 12693 Issued..... FEB 22 1991

Recorded..... Bk..... Page.....

..... 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..... 7th day of..... May.....

A.D. 19 71

Roland D. Westergard
 State Engineer