

AMENDED

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

Date of filing in State Engineer's Office... NOV 11 1974
Returned to applicant for correction... DEC 24 1974
Corrected application filed... FEB 19 1975
Map filed... FEB 19 1975

The applicant Duval Corporation
c/o Chilton Engineering, of 421 Court Elko, Nevada 89801, 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.) Texas Corp. incorporated August 18, 1926, qualified in Nevada June 5, 1962

1. The source of the proposed appropriation is Underground (Well No. 4)
Name of stream, lake or other source.

2. The amount of water applied for is 3.0 cfs second-foot
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 Mining, Milling 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. 12. 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: SW 1/4 NW 1/4, Section 11, T. 31N., R. 44E., MDM, at a point from which the W 1/4 corner of said Section 11 bears S 50° 18' W 125.5 feet
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 Sections 19, 20, 28, 29, 30, 32, and 33, T. 32N., R. 44E., and Sections 3, 4, and 5, T. 31N., R. 44E., MDM
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and 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.) Drilled well, deep well turbine discharging into a 10' pipeline to 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 \$10,000.00
- 10. Estimated time required to construct works 3 years
- 11. Estimated time required to complete the application to beneficial use 5 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water is to be commingled with waters of Well No. 3, Permit 22883 (Certificate 7644). Well is located on mill site claimed by the applicant. Please send copies of all correspondence and notices to: 4715 East Fort Lowell, Tucson Arizona 85712
 Map filed in support of Permit #22883 is made a part hereof to show place of use.
 Applicant Duval Corporation

By S/ Mark Chilton agent
 421 Court
 Elko, Nevada 89801
 Compared sk/lk lk/ga

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 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 the 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 granted herein 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 3.0 cubic feet per second but not to exceed 401.5 million gallons annually.

- Actual construction work shall begin on or before March 15, 1976
- Proof of commencement of work shall be filed before April 15, 1976
- Work must be prosecuted with reasonable diligence and be completed on or before March 15, 1977
- Proof of completion of work shall be filed before April 15, 1977
- Application of water to beneficial use shall be made on or before March 15, 1980
- Proof of the application of water to beneficial use shall be filed on or before April 15, 1980
- Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed.....
 Completion of work filed.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....
 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 15th day of September

A.D. 1975

Robert D. Westergard
 CANCELLED APR 27 1975 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
William J. Yewman
 STATE ENGINEER