№ 31091

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

Date of filing in State Engineer's Office FEB 11 1977

Returned to applicant for correction MAR 16 1977

Corrected application filed

Map filed MAR 14 1977

The applicant Milchem, Incorporated

% Chilton Engineering 421 Court (Street and No. or P.O. Box No.), of Elko (City or Town),

Nevada 89801 (State and Zip Code No.), hereby make s 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.) Dec. 11, 1962

Delaware, N. J.

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

2. The amount of water applied for is 3.0 cfs (One second-foot equals 448.83 gals. per min.) second-feet

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

3. The water to be used for Mining & 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. 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: Lot 3, Section 7, T 32 N R 47 E, MDM, at a point from which the W¼ section corner of said Section 7 bears N 72° 48' W 899 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 12, 13, 24, T 32 N, R 46 E, MDM and Sections 7, 18, 19, T 32 N, R 47 E, MDM (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

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

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 equipped with deep well turbine and piping to lead water truck and storage in a water tank (State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

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9. Estimated cost of works $10,000.00

10. Estimated time required to construct works 1 year

11. Estimated time required to complete the application to beneficial use 3 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

To be used for dust suppression incidental to mining excavation and ore transporting, comprising pit area and 4.8 miles of unpaved haul road.

Applicant Milchem, Incorporated

By s/ Mark Chilton
Agent
421 Court
Elko, Nevada 89801

Compared bs/sk bl/bc

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 13.0 million gallons annually.

Actual construction work shall begin on or before August 17, 1978

Proof of commencement of work shall be filed before September 17, 1978

Work must be prosecuted with reasonable diligence and be completed on or before August 17, 1979

Proof of completion of work shall be filed before September 17, 1979

Application of water to beneficial use shall be made on or before August 17, 1981

Proof of the application of water to beneficial use shall be filed on or before September 17, 1981

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 17th day of FEBRUARY, A.D. 19 78

Roland D. Westergard
State Engineer

218 (Rev.)

Abrogated By 38908