AMENDED

No 35718

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

Date of filing in State Engineer's Office AUG 9 1978

Returned to applicant for correction OCT 24 1978

Corrected application filed OCT 27 1978

Map filed SEP 6 1978 under 35717

The applicant Zeno Mines

763 G St., of Hawthorne, Nev.,
Street and No. or P.O. Box No. City or Town

Nevada, hereby make.... application for permission to appropriate the public
State and Zip Code No.

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.) Alcade J. Hubbard, Paul Eaton and Charles Garrison - dba Zeno Mines

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

2. The amount of water applied for is 1.5 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 mining
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: SW¼SE¼ in sec. 28, from which the SW cor. of sec. 31, T13N, R39E, bears S 68° 13' 51" W, 15147.62'
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 the SE¼ & the SE¼ of the SW¼ of sec. 28; the NW¼, N½ of the NE¼, SW¼ of the NE¼, N½ of the SW¼, & the NW¼ of the SE¼ of sec. 33 all in T13N, R39E, MDB&M.
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.) Drilling - pump and 3500 feet 2" pipe
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

35718

9. Estimated cost of works $4,000.00

10. Estimated time required to construct works 90 days

11. Estimated time required to complete the application to beneficial use 1 year

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

6000 gal per hr - 8 hrs day - 5 days week for about 9 months each year - total 8,640,000 gal yearly the above are as accurate as can be determined at this point, however, two holding ponds 32000 gal ea to recirculate to conserve water will be built

Applicant dba Zeno Mines

By s/ Alcade J. Hubbard
P.O. Box 1292
Hawthorne, Nevada 89415

Compared lp/ga jw/dp

Pro. 11/10/78 by Everette E. Loving
Pro. overruled, See Ruling 2483, 7-31-79

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.

This permit is issued subject to the State Engineer's Ruling of July 31, 1979.

The total combined duty under this permit and Permit 35717 is limited to 12.48 million gallons annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second 12.48 million gallons annually.

Actual construction work shall begin on or before February 6, 1980

Proof of commencement of work shall be filed before March 6, 1980

Work must be prosecuted with reasonable diligence and be completed on or before February 6, 1981

Proof of completion of work shall be filed before March 6, 1981

Application of water to beneficial use shall be made on or before February 6, 1982

Proof of the application of water to beneficial use shall be filed on or before March 6, 1982

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed APR 15 1980
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I William J. Newman State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 6th day of August, A.D. 19 79

APR 7 1981 William J. Newman
State Engineer

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

William J. Newman
STATE ENGINEER

218 (Rev.)