

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

AUG 18 1978

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... July 18, 1967 under 24009

The applicant..... The Anaconda Company

660 Bannock Street....., of..... Denver

Colorado 80204....., 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.)

July 21, 1976 State of Delaware

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

2. The amount of water applied for is..... 6.0..... 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, 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: NE 1/4 NE 1/4 Section 2, T.5N., R.41E., M.D.B. & M., from which the northeast corner of said Section 2 bears N. 88 degrees 15' E., 299 feet.

6. Place of use..... Sections 5, 6, and 7, T.5N., R.42E., M.D.B. & M., Sections 31, and 32, T.6N., R.42E., M.D.B. & M., Section 36, T.6N., R.41E., M.D.B. & M., Sections 1 and 12, T.5N., R.41E., M.D.B. & M.

7. Use will begin about 1st January..... and end about 31st December....., 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.) well, casing, pump, storage tank and pipeline to mine site and plant site.

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..... \$280,000
- 10. Estimated time required to construct works..... 3 to 5 years
- 11. Estimated time required to complete the application to beneficial use..... 3 to 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.
 - a) Use map filed under 28419 (formerly 24009)
 - b) Annual consumptive use - 1,314,000,000 gallons
 - c) This well, along with 28418 is to furnish water for the planned mine and mill

Applicant..... The Anaconda Company

By..... s/ LeRoy E. Wilkes
LeRoy E. Wilkes
660 Bannock Street
Denver, Colorado 80204

Compared..... jv/bl ja/dp

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 existing rights. 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. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permit 35777 shall not exceed 1,314.0 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 6.0 cubic feet per second, but not to exceed 1,314.0 million gallons annually.

- Actual construction work shall begin on or before..... March 26, 1980
- Proof of commencement of work shall be filed before..... April 26, 1980
- Work must be prosecuted with reasonable diligence and be completed on or before..... March 26, 1981
- Proof of completion of work shall be filed before..... April 26, 1981
- Application of water to beneficial use shall be made on or before..... March 26, 1984
- Proof of the application of water to beneficial use shall be filed on or before..... April 26, 1984
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... MAY 14 1980
 Completion of work filed..... AUG 19 1980
 Proof of beneficial use filed..... JAN 30 1991
 Cultural map filed.....
 Certificate No. 12278 Issued..... JUN 21 1991
 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 26th day of SEPTEMBER

A.D. 19 79
William J. Newman
State Engineer