

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

Date of filing in State Engineer's Office OCT 30 1979

Returned to applicant for correction

Corrected application filed

Map filed OCT 30 1979

The applicant Marshall Earth Resources, Inc.

601 Jefferson, of Houston, Texas 77002

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 2, 1975 State of Texas

1. The source of the proposed appropriation is Underground

2. The amount of water applied for is 0.5 second-feet

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

3. The water to be used for Milling purposes

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") milling & beneficiation of ores

(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: SE 1/4 of NW 1/4 of Sec. 4, T11N,

R39E, MDB & M. and N 46° 57' 48" W a distance of 3355.04 feet to the NW cor of said Section 4.

6. Place of use SE 1/4 of NW 1/4 of Section 4, T11N - R39E, M.D.B.&M.

7. Use will begin about Jan 1st and end about Dec. 31st, 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 & piping to storage tank at millsite

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..... \$18,500
- 10. Estimated time required to construct works..... 30 days
- 11. Estimated time required to complete the application to beneficial use..... 3 months
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

For milling of ores & beneficiation.

1 ball mill

3 gravity tables

14 flotation cells - 36.7 million gals/year

Applicant..... Marshall Earth Resources, Inc.

By..... /s/ George M. Wilson

160 N. Carson St.

Compared..... lp/jk

bc/bl

Fallon, Nevada 89406

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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 36.7 million gallons annually.

Actual construction work shall begin on or before January 8, 1981

Proof of commencement of work shall be filed before February 8, 1981

Work must be prosecuted with reasonable diligence and be completed on or before January 8, 1982

Proof of completion of work shall be filed before February 8, 1982

Application of water to beneficial use shall be made on or before January 8, 1984

Proof of the application of water to beneficial use shall be filed on or before February 8, 1984

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

Commencement of work filed..... JAN 30 1981

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of JULY

A.D. 19 80

William J. Newman State Engineer