

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

Date of filing in State Engineer's Office... DEC 28 1979 NEW PRIORITY DATE: APR 27 2010

Returned to applicant for correction...

Corrected application filed... JAN 14 1980

Map filed... JAN 14 1980

The applicant... Freeport Gold Company c/o 421 Court Street, 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.) September 19, 1978 - Nevada

1. The source of the proposed appropriation is... Deadmans Spring

2. The amount of water applied for is... 0.25 second-feet

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

3. The water to be used for... Mining, milling and domestic

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: NW 1/4 SE 1/4 Section 26, T.41N., R.53E., MDM, at a point from which the SE corner of said section 26 bears S.51°11'E., 3,376 ft.

6. Place of use... E 1/2 SE 1/4 Section 26, T.41N., R.53E., MDM. and W 1/2 SW 1/4 Section 25, T.41N., R.53E., MDM.

7. Use will begin about... January 1 and end about... December 31, 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.) Clean out spring basin, install sanitary collection equipment, fencing, piping, booster pump storage tank

- 9. Estimated cost of works..... \$15,000.00
- 10. Estimated time required to construct works..... 2 years
- 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.

Principal use of water from this source is for mine maintenance shop building, with occasional local dust suppression. Estimated annual consumption: 45,000,000 gallons per year. Please send copies of notices and correspondence to applicant at Box 1132; Elko, Nevada 89801

Applicant Freeport Gold Company
 Pro. 5/6/80 by USA Forest Service
 Pro. overruled 9/25/80 Ruling No. 2591

By s/ William A. Nisbet
 William A. Nisbet, Agent
 421 Court Street
 Elko, Nevada 89801

Compared lp/sj..... bt/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 0.25 c.f.s., 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 a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the stream system.

This permit is issued with the full understanding that any interference with prior existing rights on the Humboldt River System or stockwatering and wildlife use of the waters of Deadman Spring will be considered just cause for cancellation of all rights to divert under this permit.

~~CANCELLED APR 22 2010 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

~~STATE ENGINEER~~

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.25 cubic feet per second, but not to exceed 45.0 million gallons annually.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before July 8, 1984

Proof of completion of work shall be filed before August 8, 1984

Application of water to beneficial use shall be made on or before July 8, 1987

Proof of the application of water to beneficial use shall be filed on or before August 8, 1987

Map in support of proof of beneficial use shall be filed on or before August 8, 1987

Commencement of work filed.....
 Completion of work filed..... SEP 11 1984
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of JULY

A.D. 19 82. 

State Engineer