AMENDED

№ 40322

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

Date of filing in State Engineer's Office JAN 15 1980

Returned to applicant for correction MAY 22 1980

Corrected application filed JUL 21 1980

Map filed JUL 21 1980 Under 40321

The applicant Jarbidge Gold and Silver Mining Corporation c/o Boyack Surveying, Inc.
515 South Fifth Street (Street and No. or P.O. Box No.), of Elko (City or Town),
(State and Zip Code No.), 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.) 1976; Las Vegas, Nevada

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

2. The amount of water applied for is .02 cfs 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 Quasi-Municipal
(Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one 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: SE1/4 SE1/4 Section 33, T46N - R58E M.D.B.&M. at a point from which the SE Corner of said Section 33 bears S 32°47'27" E, a distance of 1237.13 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 SE1/4 Section 33, T46N - R56E M.D.B.&M.
(Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), 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.) Pipe Lines and storage tank, distribution lines to trailers & homes
(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 $30,000

10. Estimated time required to construct works 3 yrs.

11. Estimated time required to complete the application to beneficial use 5 yrs.

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

This water is to be used for a mining camp. Annual consumptive use is 47.0 million gallons per year.

Applicant Jarbidge Gold and Silver Mining Corporation

By s/Alan S. Boyack
Alan S. Boyack
515 South Fifth Street
Elko, Nevada 89801

Compared bl/aa

DENIAL 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 application is hereby denied on the grounds that its approval would threaten to prove detrimental to the public interest.

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

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

IN TESTIMONY WHEREOF, I HUGH RICCI, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 7th day of March, A.D. 19~~XX~~ 2002.

Hugh Ricci, P.E.
State Engineer

218 (Rev.)