

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

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

Returned to applicant for correction

Corrected application filed

Map filed JUN 13 1980 under 40418

The applicant Argus Resources, Inc.

c/o Chilton Engineering of 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.) A Nevada Corporation since 1954

1. The source of the proposed appropriation is Upper Kilborn Spring

2. The amount of water applied for is 1.0 second-foot

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

3. The water to be used for Mining, Milling & 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: within the NW 1/4 SE 1/4 of Section 18 T19N R44E MDM or at a point from which the SE corner of said Section 18 bears S49°40'E 2415 feet.

6. Place of use within the NW 1/4 SE 1/4, NE 1/4 SW 1/4, SE 1/4 NW 1/4 & SW 1/4 NE 1/4 of Section 18 T19N R44E 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 and improve spring site to ensure flow, install a collection system with pipeline to place of use.

- 9. Estimated cost of works.....\$20,000.....
- 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.

Estimated consumptive use: 300 gal per minute 24 hour per
 day 7 days per week 360 days per year total consumptive use 41365,
 41366 & 40616. Please send copies of all correspondence to
 Mr. Noack, P.O. Box 56, Austin, NV 89310

Applicant Argus Resources, Inc.

Pro 9/8/80 by Howard W & Barbara C. Wolf
 By s/ William A. Nisbet agent
 421 Court Street
 Elko, Nevada 89801

Compared lp/vjw

Pro. 8/19/80 by Joy Brandt

DENIAL OF STATE ENGINEER

deny

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ the same, subject to the following limitations and conditions:

Applications 40418, 40419, 40616, 41365 and 41366 are hereby
~~denied on the grounds that the applicant has not submitted the~~
~~data and information requested by the State Engineer's Office,~~
~~and that without this information the granting of the~~
~~applications would be detrimental to the public interest. No~~
~~finding is made on the merits of the protests.~~

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, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 15th day of December

A.D. 19 95

[Signature]
 State Engineer