

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

Date of filing in State Engineer's Office JUN 12 1980

Returned to applicant for correction

Corrected application filed

Map filed JUN 12 1980

The applicant Ron Houtz & W. M. Kerr

680 Lincoln Drive of Palisade Street and No. or P.O. Box No. City or Town

Colorado 81526 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.)

1. The source of the proposed appropriation is an underground source (an existing mine shaft and underground workings)

2. The amount of water applied for is 0.10 second-feet (a) If stored in reservoir give number of acre-feet

3. The water to be used for Mining/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") (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 NE 1/4 NE 1/4 of Section 10, T. 12 S., R. 46 E., M.D.B.&M., at a point that bears North 58 degrees 00' E a distance of 940 feet from the NE corner of said Section 10.

6. Place of use: within the NE 1/4, NE 1/4, of Section 10, Township 12 South, Range 46 East, M.D.B.&M.

7. Use will begin about January 1st and end about December 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.) Submersible pump, storage tank, and distribution pipeline

- 9. Estimated cost of works \$10,000.00
- 10. Estimated time required to construct works 1 year
- 11. Estimated time required to complete the application to beneficial use 2 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicants propose to pump water from flooded underground mine workings to operate a small precious metals milling operation.

Applicant Ron Houtz and W. M. Kerr

By s/Stephen F. Turner  
Stephen F. Turner  
2325 West Charleston Blvd  
Las Vegas, Nevada 89102

Compared js/ja gk/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 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 amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.10 cubic feet per second, but not to exceed 23.59 million gallons annually.

Actual construction work shall begin on or before November 8, 1981  
 Proof of commencement of work shall be filed before December 8, 1981  
 Work must be prosecuted with reasonable diligence and be completed on or before November 8, 1982  
 Proof of completion of work shall be filed before December 8, 1982  
 Application of water to beneficial use shall be made on or before November 8, 1984  
 Proof of the application of water to beneficial use shall be filed on or before December 8, 1984  
 Map in support of proof of beneficial use shall be filed on or before \_\_\_\_\_

Commencement of work filed \_\_\_\_\_ IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN  
 Completion of work filed JAN 10 1984 State Engineer of Nevada, have hereunto set my hand and the seal of  
 Proof of beneficial use filed \_\_\_\_\_ my office, this 8th day of MAY

Cultural map filed \_\_\_\_\_  
 Certificate No. FEB 21 1986 issued to \_\_\_\_\_ BECAUSE OF FAILURE D. 19 81  
 APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT William J. Newman  
\_\_\_\_\_ State Engineer  
 218 (REV.) STATE ENGINEER