AMENDED

№ 43295

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

Date of filing in State Engineer's Office MAR 5 1981

Returned to applicant for correction APR 13 1981

Corrected application filed JUL 10 1981

Map filed AUG 12 1981

The applicant Trafalgar Mines Ltd./Goldfield

P.O. Box 20728 (Street and No. or P.O. Box No.), of Reno (City or Town),

Nevada 89515 (State and Zip Code No.), hereby makes 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.) Trafalgar Mines Ltd./Goldfield was incorporated in Nevada on June 6, 1980

1. The source of the proposed appropriation is underground water in the Goldfield Mining (Name of stream, lake or other source.) District, Esmeralda County, Nevada

2. The amount of water applied for is 0.17 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 Mining and Milling (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") See remark 12

   (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: The January-White Rock Mine shaft located on the White Horse patented mining claim, U.S. Mineral Survey NUmber 2844. Said shaft is situated in the SE¼ of the NE¼ of (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.) Section 2, Township 3 South, Range 42 East, M.D.B.M., 6186.5' S77°03'28"W from the NE corner of said Section 1

6. Place of use The W½ of the NE¼ and the E½ of the NW¼ of Section 35, Township (Describe by legal subdivision, if on unsurveyed land it should be so stated.) 2 South, Range 42 East, M.D.B.M.

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.) A 25 HP submersible pump with casing and pipe to transport the water 6,000 feet.
   (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $4,500.00

10. Estimated time required to construct works Two months
If well completed, describe works.

11. Estimated time required to complete the application to beneficial use Two months

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

The water is to be used to supply a mining and milling operation with an annual water consumption of approximately 120 acre feet.

Trafalgar Mines, Ltd./Goldfield
By J. Newell Jackson, President

By s/J. Newell Jackson
Signature of applicant or agent
P.O. Box 20728
Reno, NV 89515

Compared sg/bl 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 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 Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under this permit and Permit 43296 and 43577 shall not exceed 120 acre-feet yearly.

This permit is issued under the preferred use provisions of NRS Chapter 534. 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 ground water basin.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.17 cubic feet per second, but not to exceed 120 acre-feet 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 December 15, 1982

Proof of completion of work shall be filed before January 15, 1983

Application of water to beneficial use shall be made on or before December 15, 1984

Proof of the application of water to beneficial use shall be filed on or before January 15, 1985

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 PETER G. MORROS State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of DECEMBER, A.D. 19 81

Peter G. Morros
State Engineer

CANCELLED FEB 17 1984 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

218 (Rev. 9-80)

Peter G. Morros
STATE ENGINEER