

AMENDED

No. 43355

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

Date of filing in State Engineer's Office MAR 18 1981
Returned to applicant for correction MAY 15 1981
Corrected application filed JUL 9 1981
Map filed JUL 13 1981

The applicant Grey Eagle Mines
495 Idaho Street #208, of Elko, Nevada
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.) December 15, 1979 - Texas

- 1. The source of the proposed appropriation is Underground
2. The amount of water applied for is 0.35 cfs second-foot
3. The water to be used for Mining, Milling & Domestic
4. If use is for: (a) Irrigation, (b) Stockwater, (c) Other use, (d) Power
5. The water is to be diverted from its source at the following point: within the SW 1/4 SE 1/4 of Section 14, T29N, R46E, MDM, at a point from which the NE corner of Section 11, T29N, R46E, MDM, bears N 9° 04' E, 10319 feet.
6. Place of use portions of the following Sections E 1/2 of 14, W 1/2 of 13, W 1/2 of 24, and 23, T29N, R46E, 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.) drilled and cased well equipped with motor, pump and pipeline to place of use

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..... \$40,000.00

10. Estimated time required to construct works..... 2 years
If well completed, describe works.

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: 80 ac. ft./year

..... Please send copies of all correspondence and notices to

..... undersigned agent.

By /s/ William A. Nisbet
 Agent Signature, applicant or agent
 421 Court
 Elko, Nevada 89801

Compared vjw/bl ja/bt

..... 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.

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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.35 cubic feet per second, but not to exceed 26.07..... 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..... September 21, 1983

Proof of completion of work shall be filed before..... October 21, 1983

Application of water to beneficial use shall be made on or before..... September 21, 1986

Proof of the application of water to beneficial use shall be filed on or before..... October 21, 1986

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... IN TESTIMONY WHEREOF, I, PETER G. MORROS,
 Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed..... my office, this 21st day of SEPTEMBER
 Cultural map filed.....

CONSENT No. NOV 22 1983 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

218 (Rev. 7-80) STATE ENGINEER BR