

AMENDED

No. 43739

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

Date of filing in State Engineer's Office... MAY 14 1981
Returned to applicant for correction... JUL 16 1981
Corrected application filed... SEP 14 1981
Map filed... SEP 14 1981 under 43737

The applicant Placer Amex Inc.
P.O. Box 150, of Ely, Nevada 89301, 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.) November 16, 1953 in the state of California.

1. The source of the proposed appropriation is Underground Sources - Well No. 3
Name of stream, lake or other source.

2. The amount of water applied for is 0.5 cfs second-foot
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet... acre-foot

3. The water to be used for Mining, milling and domestic.
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: in the SW 1/4 NE 1/4 of Section 23, T.24 N., R.56 E., M.D.B. & M., whence the Southeast Corner of Section 18, T.24 N., R.57 E., M.D.B. & M., bears N.77 degrees 52'22"E., 12,526.81 feet distant.

6. Place of use All of Section 13, T.24 N., R.56 E., 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.) The water will be pumped through pipelines to and within the proposed place of use.

- 9. Estimated cost of works..... \$40,000.00
- 10. Estimated time required to construct works..... 3 years.
If well completed, describe works.
- 11. Estimated time required to complete the application to beneficial use..... 5 years.

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 will be used for the applicants gold mining and milling production
 in the above named place of use in conjunction with Applications Nos. 43738
 and 43737 for a total annual consumption of 116,000,000 gallons per year.

By..... s/Richard W. Forman
Signature, applicant or agent
 P.O. Box 150
 Ely, Nevada 89301

Compared ..js/dh..... 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.

..... The total combined duty of water under this permit and Permits 43737 and 43738 shall not exceed 116.0 million gallons annually.

..... 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.

..... This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

..... The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.5..... cubic feet per second, but not to exceed 116.0 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..... July 30, 1983.....

..... Proof of completion of work shall be filed before..... August 30, 1983.....

..... Application of water to beneficial use shall be made on or before..... July 30, 1985.....

..... Proof of the application of water to beneficial use shall be filed on or before..... August 30, 1985.....

..... 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 30th day of JULY

..... Cultural map filed.....

..... Certificate No..... A.D. 19 82.

..... CANCELLED OCT 10 1985..... BECAUSE OF FAILURE

..... OF THIS (CAN-80) TO COMPLY WITH THE PROVISIONS OF PERMIT

..... State Engineer