

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

Date of filing in State Engineer's Office... AUG 5 1981
Returned to applicant for correction... OCT 14 1981
Corrected application filed... NOV 18 1981
Map filed... NOV 18 1981

The applicant H. B. LAYNE, CONTRACTOR, INC.
P.O. Box 458, of Beatty, Nevada 89003
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.) Incorporation: Indiana, January 4, 1949

- 1. The source of the proposed appropriation is Amargosa River (underground)
2. The amount of water applied for is three (3) second-feet
3. The water to be used for milling and refining ore
4. If use is for: (a) Irrigation (state number of acres to be irrigated)
5. The water is to be diverted from its source at the following point within the NW1/4 of the NE1/4 of Section 33, T.11S., R.47E., whence the N.E. Corner of said Section 33 bears N. 88°01'15" E., 1,551.37 feet.
6. Place of use Millsite situated in SW1/4 of the SE1/4 of Section 28, T.11S., R.47E., and the W1/2 NE1/4 of Section 33, T.11S., R.47E., M.D.B.&M., Nye County, Nevada.
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.) Layne, Contractor, Inc., at the time the mill was being built. Apparently, no water application or permit was applied for at that time. The water is pumped from the well through pipes to a storage tank on the millsite.

- 9. Estimated cost of works unknown
- 10. Estimated time required to construct works Completed and in use since 1968.  
If well completed, describe works.
- 11. Estimated time required to complete the application to beneficial use See #10 above.
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used for the milling and processing of ore  
in the small mill at the site. Approximately 10 million  
gallons annually.

By s/Wallace T. Boundy  
Signature, applicant or agent  
Wallace T. Boundy, Agent  
P.O. Box 242  
Tonopah, Nevada 89049

Compared bl/ cs

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

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 0.25 cubic feet per second, but not to exceed 10.0 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 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, 1985

Proof of the application of water to beneficial use shall be filed on or before October 21, 1985

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

Commencement of work filed NOV 1 1983  
Completion of work filed NOV 09 1983  
Proof of beneficial use filed NOV 09 1983  
Cultural map filed \_\_\_\_\_  
Certificate No. 13628 Issued MAY 07 1993

IN TESTIMONY WHEREOF, I, PETER G. MORROS  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 21st day of SEPTEMBER,

P. G. Morros  
A.D. 1982  
State Engineer