

AMENDED

No. 44247

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

Date of filing in State Engineer's Office... AUG 10 1981
Returned to applicant for correction... OCT 14 1981
Corrected application filed... DEC 8 1981
Map filed... DEC 8 1981

The applicant Foote Mineral Company

Street and No. or P.O. Box No. of Silverpeak City or Town

Nevada 89047, 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.) Incorporated State of

Pennsylvania on September 30, 1964

1. The source of the proposed appropriation is Little Spring Name of stream, lake or other source.

2. The amount of water applied for is .5 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 & 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")

(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 SW 1/4 NE 1/4, Section 22, T.2S., R.39E., M.D.M. or from a point from which the NE corner of said Section 22 Bears N30°49'40"E, a distance of 3,003 feet it should be stated.

6. Place of use SE 1/4, Section 13, T. 2 S., R 39 E., M.D.M. Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year. Month and Day

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.) spring will be improved, water piped to storage reservoir, distribution system to Foote Mineral, processing area 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 \$3,000

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

11. Estimated time required to complete the application to beneficial use five 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 is the same spring as indicated on Permit 13027, Certificate 3595. Water from this source is no longer used for stock watering purposes. The applicant requests this application be granted subject to existing rights.

By s/Ross E. de Lipkau

Signature, applicant or agent

Ross E. de Lipkau

P. O. Box 2790

Reno, Nevada 89505

Compared bl/kn

bc/bl

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 all existing rights on the source. It is understood that the 0.5 c.f.s., 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 a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

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 300 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 August 2, 1985

Proof of completion of work shall be filed before September 2, 1985

Application of water to beneficial use shall be made on or before August 2, 1988

Proof of the application of water to beneficial use shall be filed on or before September 2, 1988

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 2nd day of August

Cultural map filed

Certificate No. Issued JUL 24 1985 A.D. 19 85

WITHDRAWN BY APPLICANT