

AMENDED

No. 44298

ASSIGNED

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

Date of filing in State Engineer's Office AUG 14 1981
Returned to applicant for correction OCT 20 1981
Corrected application filed DEC 8 1981
Map filed DEC 8 1981 under 44296

The applicant Smoky Valley Mining Division, Copper Range Company
P.O. Box 480, of Round Mountain, Nevada 89045, 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 in Michigan, January 23, 1899

1. The source of the proposed appropriation is Well No. 3 (developed water through dewatering)
Name of stream, lake or other source.

2. The amount of water applied for is 3.0 cfs second-foot
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 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: NE1/4 NE1/4 Section 25, T 10 N, R 43 E, MDM, at a point from which the NE corner of said Section 25 bears N 1° 16' E 660 feet
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.

6. Place of use within Sections 17, 18, 19, 20, 29 & 30, T 10 N R 44 E, MDM (portions unsurveyed) and Sections 13, 23, 24, 25 & 26, T 10 N, R 43 E, MDM
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 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.) drilled and cased well, electric motor, submergible pump, distribution system and storage reservoir
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..... \$35,000.00

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..... Ten years

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 developed from this well and the other seven are to be considered mine dewatering. The water developed will be utilized in the refining process, and will be co-mingled with other water rights held by the applicant. The total combined duty from any and all sources will not exceed 6500 acre feet per year. This is based upon a use of slightly more than 4000 gpm, 24 hours per day, 365 days per year. Please send copies of all correspondence and notices to Mr. Ross deLipkau, P.O. Box 2790, Reno, Nevada 89505 and undersigned agent.

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

Compared bl/js ja/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 Permits 536, 1077, 2908, 3898, 12442, 12445, 12768, 14119, 26649, 26650, 26652, 26796, 44296, 44297, 44299, 44300, 44301, 44302, and 44303 shall not exceed 6,500 acre-feet 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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 2,172 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..... May 26, 1983

Proof of completion of work shall be filed before..... June 26, 1983

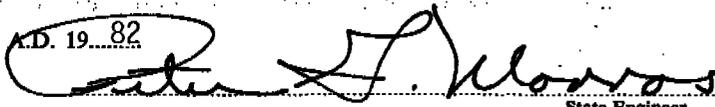
Application of water to beneficial use shall be made on or before..... May 26, 1986

Proof of the application of water to beneficial use shall be filed on or before..... June 26, 1986

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 26th day of MAY

A.D. 19 82

 State Engineer