

AMENDED

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

Date of filing in State Engineer's Office SEP 16 1981
Returned to applicant for correction DEC 30 1981
Corrected application filed FEB 25 1982
Map filed FEB 25 1982

The applicant Exxon Corporation, c/o Exxon Minerals Company
P.O. Box 4508, of Houston, Texas 77210
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 on August 5, 1882, in the State of New Jersey

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

2. The amount of water applied for is 6.0 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 and domestic purposes
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") (see 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 SE 1/4 SE 1/4 of Section 24, T.21N., R.51E., M.D.M. or at a point from which the SE corner of said Section bears south 53°20'00" east a distance of 686.0 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 all Sections, some of which are unsurveyed in the following:
Describe by legal subdivision, if on unsurveyed land it should be so stated.
T.21N., R.50E., R.51E., R.52E., R.53E., T21 1/2 N., R.51 1/2 E, R.52E., R.53E., T.22N., R.50E R51E., R.51 1/2 E, R.52E, R.53E., T.23N., R.50E, R51E., R.52E., R.53E.
T.23 1/2 N. R.50E., T.24N., R.50E., R.51E., R.52E., R.53E, M.D.M.

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.) well, pump, and distribution system to mining, milling and domestic use sites
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..... \$200,000.00

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.
4,343.82 acre feet per year, being 161,578.8 gallons per hour, 24 hours a day,
7 days per week, throughout the year

EXXON CORPORATION
By s/D. B. Achttien
Signature, applicant or agent

Compared bc/ vjw br/ja D. B. Achttien, P.O. Box 4508, Houston, Texas 77210

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. (PERMIT TERMS

CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second but not to exceed 4343.82 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 23, 1985

Proof of completion of work shall be filed before June 23, 1985

Application of water to beneficial use shall be made on or before May 23, 1989

Proof of the application of water to beneficial use shall be filed on or before June 23, 1989

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 23rd day of MAY

CANCELLED OCT 14 1996 BECAUSE OF FAILURE TO COMPLY WITH THE PROVISIONS OF PERMIT
Certificate No. Issued A.D. 19 83
STATE ENGINEER

Peter G. Morros
State Engineer

(PERMIT TERMS CONTINUED)

The following monitoring requirements shall be complied with:

1. Four monitoring wells shall be drilled near the point of diversion of Permit 44436 at the following locations:
 - A. NE $\frac{1}{4}$ Section 25, T. 21 N., R. 51 E.
 - B. SE $\frac{1}{4}$ Section 30, T. 21 N., R. 52 E.
 - C. SE $\frac{1}{4}$ Section 36, T. 21 N., R. 51 E.
 - D. NE $\frac{1}{4}$ Section 26, T. 21 N., R. 51 E.
2. The monitoring wells shall be drilled and cased to an approximate minimum depth of 500 feet and approximately the bottom 100 feet of casing will be perforated.
3. Ground water depth in these wells shall be monitored and reported to the Division of Water Resources as follows:

<u>Time Period</u>	<u>Monitoring Frequency</u>	<u>Reporting Frequency</u>
Mine Construction (1st year)	monthly	quarterly
Remainder Mine Construction	quarterly	quarterly
Mine Production (1st 2 years)	quarterly	quarterly
Remainder Mine Production	semi annually	semi annually

