

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

Date of filing in State Engineer's Office NOV 9 1981
Returned to applicant for correction FEB 3 1982
Corrected application filed FEB 8 1982
Map filed FEB 8 1982

The applicant Nevada Barite Inc.
Post Office Box 899, of Battle Mountain, Nevada 89820

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.) Articles of Incorporation filed with the Nevada Secretary of State on March 13, 1980.

- 1. The source of the proposed appropriation is underground
2. The amount of water applied for is 1.0 c.f.s.
3. The water to be used for mining, milling and domestic
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" mining, milling and domestic (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 NE 1/4 of Section 35, T.28N., R.45E., M.D.B.&M., or at a point from which the West 1/4 corner of Section 11, T.27N., R.45E., M.D.B.&M. bears S21°08'06"W 11,709.8'.
6. Place of use portions of Lot 1, Section 3, N 1/2 Section 2, T.27N., R.45E., M.D.B.&M.; portions of E 1/2 E 1/2 Section 34, portions W 1/2 W 1/2 of Section 36, portions NW 1/4, SW 1/4, SE 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4 of Section 35, and portions of SW 1/4, SW 1/4 SE 1/4 Section 26, T.28N., R.45E., M.D.B.&M. 760 acres, more or less
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.) Well, pump, motor and pipeline.
9. Estimated cost of works in excess of \$1,000.00

10. Estimated time required to construct works three (3) years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use five (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.

Annual consumptive use will be approximately 70,017,480 gallons

annually, based on 10 hours per day five days a week.

ROBERT N. CALDWELL, R.L.S., S.W.R.S., AGENT

By s/Robert N. Caldwell

146 West Second Street

Winnemucca, Nevada 89445-3493

Compared bl/bc ja/bc

Protested _____

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 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 issuance of this permit does not waive the requirements that the permit holder obtain 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 1.0 cubic feet per second, but not to exceed 70.017 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 1, 1983

Proof of completion of work shall be filed before August 1, 1983

Application of water to beneficial use shall be made on or before July 1, 1986

Proof of the application of water to beneficial use shall be filed on or before August 1, 1986

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

Completion of work filed _____ IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed _____ my office, this 1st day of JULY,

Cultural map filed _____

Certificate No. _____ Issued _____

A.D. 1982

[Signature of Peter G. Morros]

State Engineer

OCT 30 1984

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature]