

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 20 1982

Returned to applicant for correction SEP 29 1982

Corrected application filed Map filed JUL 20 1982

The applicant Western States Minerals Corporation

1104 West Main of Elko Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make S application for permission to change the State and Zip Code No.

Point of Diversion Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under application 43344 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

identify right in Decree.)

1. The source of water is Underground Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 3.0 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining and Milling Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Mining and Milling Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NE 1/4 NW 1/4 of Section 25, T 36 N, R 49 E, MDB & M., at a point from which the NE corner of said Section 25 bears N 84 degrees 04' 09" E 3405.90 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. The existing permitted point of diversion is located within SW 1/4 SE 1/4 of Section 24, T 36 N, R 49 E, MDB & M., at a point from which the SE corner of said Section 24 bears S 77 degrees 14' 37" E 2239.56 feet. If point of diversion is not changed, do not answer.

7. Proposed place of use All of Section 26; E 1/2 E 1/2 Section 27; NE 1/4 NE 1/4 Section 34; N 1/2 N 1/2 Section 35, T 36 N, R 49 E, MDB & M, S 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 19; SW 1/4 SW 1/4 Section 20; W 1/2 W 1/2 Section 29; All of Section 30, T 36 N, R 50 E, MDB & M. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use All of Section 26; E 1/2 E 1/2 Section 27; NE 1/4 NE 1/4 Section 34; N 1/2 N 1/2 Section 35, T 36 N, R 49 E, MDB & M., S 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 19; SW 1/4 SW 1/4 Section 20; W 1/2 W 1/2 Section 29; All of Section 30, T 36 N, R 50 E, MDB & M. Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year. Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year. Month and Day Month and Day

11. 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, pipeline to mill and storage ponds. State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$30,000

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

..... These waters are to be re-circulated from pond to mill. Annual  
..... consumptive use to be the same as for application 43344 OR  
..... 50,000,000 gallons.

By s/Alan S. Boyack  
Alan S. Boyack, Agent  
515 South Fifth Street  
Elko, Nevada 89801

Compared b.l./cs ..... br/ia

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 to change the point of diversion of the waters of an underground source as heretofore granted under Permit 43344 is issued subject to the terms and conditions imposed in said Permit 43344 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and 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 the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. 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.

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 changed 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 50.0 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... December 14, 1984

Proof of completion of work shall be filed before..... January 14, 1985

Application of water to beneficial use shall be made on or before..... December 14, 1987

Proof of the application of water to beneficial use shall be filed on or before..... January 14, 1988

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

Completion of work filed..... JAN 16 1985

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..... 2nd ..... day of..... MARCH.....

A.D. 19 83

*Peter G. Morros*  
State Engineer

PORT  
Abrogated By: 48498-0.75  
48499-0.75  
48500-0.75  
54926-0.75