

ASSIGNED

AMENDED

Serial No. 47148

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 AUG 9 1983

Returned to applicant for correction AUG 22 1983

Corrected application filed SEP 1 1983 Map filed SEP 1 1983

The applicant Freeport Gold Company

Mountain City Star Route of Elko Nevada 89701 Street and No. or P.O. Box No. City or Town

hereby make application for permission to change the point of diversion

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

of water heretofore appropriated under Permit No. 46669 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and 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 2.5 second feet Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for mining, milling and domestic purposes 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 NW 1/4 SW 1/4 Section 34, T41N, R54E, MDM, at a point from which the SW corner of Section 34 bears S 39° 30' W 2036 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 NW 1/4 SE 1/4 Section 34, T41N, R54E, MDM, at a point from which the SW corner of section 34 bears S 53° 00' W 3460 feet. If point of diversion is not changed, do not answer.

7. Proposed place of use S 1/2, NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, all in Section 33, T41N, R54E, MDM. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use S 1/2, NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, all in Section 33, T41N, R54E, MDM. 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.) Drill, fully case, no perforations above 100 foot depth, equip with pump and motor and pipeline to milling works. 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 \$120,000

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 3 years

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

Please address copies of all correspondence to:

J.W. Patterson & Assoc., Inc.

Suite 1020, 50 West Liberty Street

Reno, Nevada 89501

By s/John W. Patterson (agent)
Suite 1020, 50 West Liberty St.
Reno, Nevada 89501

Compared dcb/bl dcb/br

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 46669 is issued subject to the terms and conditions imposed in said Permit 46669 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.

The total combined duty of water under this permit and Permits 36781 and 39881 shall not exceed 5788.9 acre-feet per annum.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

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 ON NEXT PAGE.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.5 cubic feet per second, but not to exceed 1809.03 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 18, 1985

Proof of completion of work shall be filed before October 18, 1985

Application of water to beneficial use shall be made on or before September 18, 1986

Proof of the application of water to beneficial use shall be filed on or before October 18, 1986

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

Completion of work filed JUL 30 1984

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 1-6-87

my office, this 29th day of MARCH

Cultural map filed

A.D. 19 84

Certificate No. 13139 Issued NOV 8 1991

[Signature of Peter G. Morros]
State Engineer

2407 (Rev. 6-81) 0.15
Port 65324

- Abrogated By 56176T 0.1 Exp
- 56177T 0.1 6-24-92
- 56178T 0.1
- 56179T 0.1
- 56180T 0.1
- 56181T 0.1
- 56182T 0.1
- 56183T 0.1
- 56184T 0.1
- 56201T 0.1
- 56202T 0.1

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.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.