

AMENDED

Nº 47187

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 25 1983

Returned to applicant for correction SEP 28 1983

Corrected application filed

Map filed under 47186

The applicant ASARCO, INCORPORATED

510 East Plumb Lane, of Reno, Nevada 89502

hereby make S 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.) A New Jersey corporation qualified to do business in the State of Nevada May 5, 1943

1. The source of the proposed appropriation is underground

2. The amount of water applied for is 1.0 second-feet

(a) If stored in reservoir give number of acre-feet

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 SW 1/4 SW 1/4 of Section 16, T 17 N, R 21 E, M.D.M., or at a point from which the SW corner of the said Section 16 bears S 44°49'30" W, a distance of 887.10 feet.

6. Place of use Within Sections 2, 3, 9, 10, 15, 16, 21 and 22, all in T 17 N, R 21 E, M.D.M.

7. Use will begin about January 1 and end about December 31, 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.) Drilled and cased well, pump, motor, storage reservoir and distribution system

9. Estimated cost of works \$50,000

10. Estimated time required to construct works 5 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 10 years

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

Mill design not yet completed. The total combined duty of water under this application and applications 47186, 47188, 47189 and 47190 will not exceed 3,000 acre feet annually.

By s/Ross E. deLipkau
P. O. Box 2790
Reno, Nevada 89505

Compared bl/br js/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. 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.

(CONTINUED ON PAGE 2)

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 163 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 13, 1987

Proof of completion of work shall be filed before June 13, 1987

Application of water to beneficial use shall be made on or before May 13, 1989

Proof of the application of water to beneficial use shall be filed on or before June 13, 1989

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,

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of May,

Cultural map filed..... A.D. 1985

Certificate No..... Issued.....

[Signature]
State Engineer

JUL 18 1988

WITHDRAWN BY APPLICANT

[Signature] STATE ENGINEER

(PERMIT TERMS CONTINUED)

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

The total combined duty of water under Permits 47186, 47187, 47188, 47189 and 47190 shall not exceed 163 million gallons annually.

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.