

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 NOV 10 1983

Returned to applicant for correction JAN 18 1984

Corrected application filed JAN 20 1984 Map filed JAN 20 1984 under 47413

The applicant Freeport Gold Company

Mountain City Star Route of Elko Nevada 89801 Street and No. or P.O. Box No. City or Town

hereby make application for permission to change the point of diversion of a portion of water heretofore appropriated under Permit No. 42687

(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 1.5 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for Mining milling and domestic 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 SE 1/4 SW 1/4 Section 34, T41N, R54E, MDM, at a point from which the SW corner of said section bears S 70° 36' W 2640 feet

6. The existing permitted point of diversion is located within NW 1/4 NE 1/4 Section 33, T41N, R54E, MDM, at a point from which the SW corner of said section bears S 44° 36' W 5599 feet

7. Proposed place of use NE 1/4 NE 1/4 (Lot 17) Section 4, T40N, R54E; S 1/2, NW 1/4, W 1/2 NE 1/4 and SE 1/4 NE 1/4 of Section 33, T41N, R54E; and approximately 6 miles or ore haul road through portions of Sections 25, 26 and 35 in T41N, R53E and Sections 29, 30, 32 & 33, T41N, R54E, MDM; all located as shown on map accompanying Permit No. 42687.

8. Existing place of use NE 1/4 NE 1/4 (Lot 17) Section 4, T40N, R54E; S 1/2, NW 1/4, W 1/2 NE 1/4 and SE 1/4 NE 1/4 of Section 33, T41N, R 54E; and approximately 6 miles of ore haul road through manner of use of irrigation permit, describe acreage to be removed from irrigation. portions of Sections 25, 26 & 35 in T41N, R53E and Sections 29, 30, 32 & 33, T41N, R54E, MDM all located as shown on map accompanying Permit No. 42687.

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

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

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 well, case with no perforations above 100 foot depth, equip with pump and pipeline to mill site

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.

Waters from Permit Nos. 42687 and 36781 are being changed to a single point of diversion. Please address copies of all correspondence to:

J. W. Patterson & Assoc., Inc.
50 W. Liberty St., Ste. 1020
Reno, Nevada 89501

By..... s/ John W. Patterson
John W. Patterson, Agent
50 W. Liberty St., Ste. 1020
Reno, Nevada 89501

Compared..... br/js..... pr/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 to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 42687 is issued subject to the terms and conditions imposed in said Permit 42687 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 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 total combined duty of water under Permits 39881, 42687, 47148, 47413 and 47414 shall not exceed 5788.9 acre-feet annually.

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 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..... 1.5..... cubic feet per second... but not to exceed 1085.42 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... September 18, 1986

Proof of completion of work shall be filed before..... October 18, 1986

Application of water to beneficial use shall be made on or before..... September 18, 1988

Proof of the application of water to beneficial use shall be filed on or before..... October 18, 1988

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

Completion of work filed..... DEC 01 1988

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 14th day of December

A.D. 19 84
Peter G. Morros
State Engineer

908 56755 T