AMENDED

№ 48478

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

Date of filing in State Engineer's Office OCT 9 1984

Returned to applicant for correction NOV 6 1984

Corrected application filed

Map filed JAN 4 1985

The applicant AMERICAN BORATE COMPANY

3311 S. Jones Blvd., Suite 212 (Street and No. or P.O. Box No.), of Las Vegas (City or Town),

Nevada 89102 (State and Zip Code No.), 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.) September 9, 1977 in California partnership - American Borate Corporation and RosCorp., Inc.

1. The source of the proposed appropriation is Amargosa Valley Basin, (underground source) (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is .36 second-feet (One second-foot equals 448.83 gals. per min.)

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

3. The water to be used for Mining/Milling (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

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

   (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 an underground source located (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 so stated.) (W½W½ Lot 6) within the NW¼, SW¼, Sec. 2 T18S, R 49 E, MDM or at a point from which the closing corner between Sections 2 and 3 T18S R 49 E MDM, bears S. 43° 22'00" W. a distance of 71.00 feet.

6. Place of use SW¼, Sec. 36, T17S, R 49 E, M.D.M., Nye County, Nevada (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about Jauary 1st (Month and Day) and end about December 31st (Month and Day), 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 well with pump and motor, connected with existing pipline to storage tank at Mill located in said SW¼ Sec. 36 (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $24,000 plus $2,500 for revamping

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

11. Estimated time required to complete the application of water to beneficial use one (1) year

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

Mining - used for process water for mining and milling purposes in conjunction with accompanying applications. The total consumption use of the operations from this well is approximately 84,096,000 gallons/year or .36 sec. feet.

By s/R.J. Zgone Vice President/General Manager
3311 S. Jones Blvd., Suite 212
Las Vegas, Nevada 89102

Compared pr/sb

Protested

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:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed on or before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of, A.D. 19

State Engineer

218 (Rev.)