

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

Date of filing in State Engineer's Office JAN 15 1985

Returned to applicant for correction

Corrected application filed

Map filed JAN 15 1985

The applicant FMC Corporation

City Center 4, Suite 2720, 1801 California St. of Denver, Colorado 80202

hereby make 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.) August 10, 1928, State of Delaware

1. The source of the proposed appropriation is underground

2. The amount of water applied for is 0.013 second-feet

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

3. The water to be used for stockwatering

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 500, cattle

(c) Other use (describe fully under "No. 12. Remarks")

(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 SW1/4 NE1/4, Section 23, T10N, R36E, MDB&M (unsurveyed), at a point from which the SW corner of Section 31, T11N, R36E, MDB&M, bears North 30°28' West a distance of 24, 545 feet.

6. Place of use Section 23, T10N, R36E, MDB&M (unsurveyed)

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 well, electric pump, pipeline to 500-gallon stockwatering tank

9. Estimated cost of works \$10,000

10. Estimated time required to construct works 2 years
If well completed, describe works.

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

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

Annual duty under this application would be 3.07 MGA in addition to the 1,051,200,000 gallons appropriated at this point of diversion under Permit #47759 for mining, milling, and domestic use.

By s/Richard J. Berger
Richard J. Berger, Agent
Hydro-Search, Inc.
333 Flint St.
Reno, NV 89501
Compared yw/js 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 all existing rights on the source. 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 period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

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.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.013 cubic feet per second, or sufficient to water 500 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before December 19, 1986

Proof of completion of work shall be filed on or before January 19, 1987

Application of water to beneficial use shall be made on or before December 19, 1988

Proof of the application of water to beneficial use shall be filed on or before January 19, 1989

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

Completion of work filed FEB 18 1987 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed JAN 19 1989 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed my office, this 18th day of July

Certificate No. 12322 Issued OCT 25 1989 A.D. 19 85

Peter G. Morros
State Engineer

(PERMIT TERMS CONTINUED)

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

This permit is further issued subject to the terms of the agreement signed on November 20, 1985 by FMC Corporation and the Yomba Shoshone Tribe.

