

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

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

Returned to applicant for correction

Corrected application filed

Map filed APR 15 1985

The applicant Homestake Mining Company of California

P.O. Box 10628, of Reno, Nevada 89501

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.)

California Corporation, November 6, 1877

1. The source of the proposed appropriation is Underground Wood Gulch Well No. 5

2. The amount of water applied for is 1 cfs second-foot

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

3. The water to be used for Mining & Milling

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")

(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: Lot 4 (NE 1/4 SE 1/4) Section 16, T44N, R53E, MDB&M., at a point from which the East 1/4 corner of said Section 16 bears N 53° 30' 00" E 1500.00 feet.

6. Place of use All of Section 12 and Lot 4 (NE 1/4 SE 1/4) Section 16, T44N, R53E, MDB&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.) Well & Pipeline. This water is to be used for exploration drilling of a mineral deposit.

9. Estimated cost of works \$20,000

10. Estimated time required to construct works 3 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 consumptive use is 235,333,333 gallons per year. If the exploration proves out an ore body, then this water would be used for mining and milling of the ore body.

By s/Alan S. Boyack
ALAN S. BOYACK, AGENT
515 South Fifth Street
Elko, NV 89801

Compared js/tw 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 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.

(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 235.91 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 22, 1987

Proof of completion of work shall be filed before November 22, 1987

Application of water to beneficial use shall be made on or before October 22, 1989

Proof of the application of water to beneficial use shall be filed on or before November 22, 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 22nd day of October

Cultural map filed _____ A.D. 19 85

Certificate No. _____ Issued _____

[Signature of Peter G. Morros]
State Engineer

CANCELLED JAN 17 1992 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
[Signature] STATE ENGINEER

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 48985, 48986, 48987, 48988, 48989, 48990, 48991, 48992 and 48993 shall not exceed 303.38 million gallons annually.

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.

