

AMENDED
APPLICATION FOR PERMIT

Nº 49908

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office... JUN 6 1986
Returned to applicant for correction... JUL 11 1986
Corrected application filed... AUG 15 1986
Map filed... AUG 15 1986

The applicant... Caselton Partners, a Utah Limited Partnership...
Rural Route Box 119, of Pioche,
Street and No. or P.O. Box No. City or Town
Nevada 89043, hereby make... application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
tion; if a copartnership or association, give names of members.)... Horace K. Thurber, General
Partner, List unavailable at this time.

1. The source of the proposed appropriation is... Underground...
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is... 1.0 c.f.s. ... second-foot
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... Milling Purposes...
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... N/A
(b) Stockwater, state number and kinds of animals to be watered... N/A
(c) Other use (describe fully under "No. 12. Remarks"... Milling
(d) Power:
(1) Horsepower developed... N/A
(2) Point of return of water to stream... N/A
5. The water is to be diverted from its source at the following point within the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$...
Describe as being within a 40-acre subdivision of public
of Section 28, T 1 N, R 67 E, M.D.B. & M. from which the Southwest
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
Corner of said Section 28 bears S 41° 10' 41" W a distance of 1,295.20
feet.
6. Place of use... within the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
28; and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the NE $\frac{1}{4}$ of
the SE $\frac{1}{4}$, of Section 29, all within T 1 N, R 67 E, M.D.B. & M.
7. Use will begin about... January 1st... and end about... December 31st... of each year.
Month and Day Month and Day
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.)... Install pump, meter, and all piping
State manner in which water is to be diverted, i.e. diversion structure, ditches and
necessary for milling.
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works... \$ 10,000.00

10. Estimated time required to construct works.....14" Cased well drilled and utilized by.....
If well completed, describe works.
Caselton Partners for milling purposes.....

11. Estimated time required to complete the application of water to beneficial use.....2 years.....

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

Water to be utilized for milling purposes in the Caselton Mining District. Water will be utilized in processing ores through the Caselton Mill. Water will also be utilized at the Caselton Townsite for Emergency Fire Protection.

Frank C. Hulse
State Water Right Surveyor
#722 - Agent

By s/Frank Hulse
Box 510
Pioche, Nevada 89043

Compared.....cc/jm.....pm/se.....

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.

The total combined duty of water under Permits 49908, 50084 and 50085 shall not exceed 118.38 million gallons annually.

(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 118.38 million gallons annually.....

Work must be prosecuted with reasonable diligence and be completed on or before.....October 16, 1988.....

Proof of completion of work shall be filed on or before.....November 16, 1988.....

Application of water to beneficial use shall be made on or before.....October 16, 1990.....

Proof of the application of water to beneficial use shall be filed on or before.....November 16, 1990.....

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

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.....16th.....day of.....October.....,

Cultural map filed.....

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

A.D. 19.....87.....

[Signature]
State Engineer

218 (Rev.)

JAN 16 1991

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

(PERMIT TERMS CONTINUED)

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.

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