AMENDED

№ 51116

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

Date of filing in State Engineer's Office JUL 15 1987

Returned to applicant for correction SEP 21 1987

Corrected application filed

Map filed OCT 8 1987 under 51114

The applicant U.S.M.X. of Nevada, Inc.

141 Union Blvd., Suite 100 (Street and No. or P.O. Box No.), of Denver (City or Town),

Colorado 80228 (State and Zip Code No.), 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.) Incorporated in State of Nevada July 19, 1982

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 (One second-foot equals 448.83 gals. per min.) second-feet

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

3. The water to be used for milling, mining, domestic (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") See No. 12

   (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 SE¼ NE¼ Section 28, T.15N., R.57E., M.D.B.&M. at a point from which the south ¼ corner of said Section 28 bears S.37°20'W., a distance of 3,510.42 feet. (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.)

6. Place of use Sections 21,22,27,28,33, and 34 of T.15N., R.57E., M.D.B.&M. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (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 and cased well, pipeline distribution system, and storage reservoir. (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 50,000

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.

Water will be used in a heap leach operation. Water will be comingled with water from Applications 51114, 51115, 51262, 50245, and 50246. Total annual consumptive use from all wells will not exceed 1 cfs or 235,889,280 gallons.

s/David E. Carlson
By David E. Carlson
Hydro-Search, Inc.
333 Flint Street, Reno, Nevada 89501

Compared sb/se 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 followng 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.

The total combined duty of water under Permits 50245, 50246, 51114, 51115, 51116 and 51262 shall not exceed 235.9 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

(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 235.9 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 24, 1989

Proof of completion of work shall be filed on or before August 24, 1989

Application of water to beneficial use shall be made on or before July 24, 1990

Proof of the application of water to beneficial use shall be filed on or before August 24, 1990

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

Completion of work filed

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 21st day of June, A.D. 19 88

Peter G. Morros
State Engineer

(O)-5314 (Rev.)
WITHDRAWN BY APPLICANT SEP 28 1989
Peter G. Morros
STATE ENGINEER

(PERMIT TERMS CONTINUED)

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.