

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

Date of filing in State Engineer's Office JUL 21 1987

Returned to applicant for correction

Corrected application filed

Map filed JUL 21 1987

The applicant BOYCE E. STEWART

Star Route 30D of Goldfield

Nevada 89013

hereby makeS. 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.)

1. The source of the proposed appropriation is underground (Manhattan Gulch)

2. The amount of water applied for is 2.0 c.f.s. second-feet

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

3. The water to be used for mining and 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 in the NW 1/4 SW 1/4 of Section 24,

T. 8 N., R. 43 E., M.D.B.&M., from whence the N.W. Corner of said

Section 24 bears N. 3°10'W., 3,420.98 feet distant.

6. Place of use NW 1/4 SW 1/4 of Section 24, and portions of W 1/4 SW 1/4 of Section 22, and

portions of the E 1/2 SE 1/4 of Section 21, all in T. 8 N., R. 43 E., M.D.B.&M., or

upon mining claims controlled by applicant within the above-described subdivisions.

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.) It is proposed to drill, case, and equip

an underground well, together with pipeline to the place of use.

9. Estimated cost of works \$10,000.00

10. Estimated time required to construct works three (3) years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use four (4) years

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

A placer and leach-type operation for gold-bearing ores is expected to be utilized at an expected annual consumption of 10,000,000 gallons.

By s/Wallace T. Boundy
Wallace T. Boundy, Agent
P.O. Box 242
Tonopah, Nevada 89049

Compared jkk/se pm/se

Protested 10-21-87 Robert M. Bottom; 10-29-87 Joseph H. Von Harten
See Ruling No. 3567

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 place 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.
(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 2.0 cubic feet per second, but not to exceed 10 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 30, 1990

Proof of completion of work shall be filed on or before January 30, 1991

Application of water to beneficial use shall be made on or before December 30, 1992

Proof of the application of water to beneficial use shall be filed on or before January 30, 1993

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 30th day of December

Cultural map filed A.D. 19 88

Certificate No. Issued SEP 9 1991

CANCELLED **BECAUSE OF FAILURE**
OF APPLICANT TO COMPLY WITH **CONDITIONS OF PERMIT**

(O)-5314 (Rev)

Richard J. [Signature] STATE ENGINEER

State Engineer

(PERMIT TERMS CONTINUED)

No perforations shall be put in the production casing from ground level to 100 feet.

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.

