Serial No. 51389

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 30 1987

Returned to applicant for correction

Corrected application filed Map filed SEP 30 1987 under 51388; Existing POU Under 38384

The applicant PINSON MINING COMPANY

P.O. BOX 192 of WINNEMUCCA
Street and No. or P.O. Box No. City or Town

NEVADA 89445 hereby make.s. application for permission to change the
State and Zip Code No.

point of diversion and place of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 38385 - Well No. 6
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground - Well No. 10
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.8 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for mining, milling, and domestic.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for mining, milling, and domestic.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW¼ SW¼, Section 28, T38N, R42E, M.D.B. & M.,
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 stated.
or at a point from which the West 1/16 corner, of the SW¼, of said section 28 bears N 73° 50' 32" W, 491 feet.

6. The existing permitted point of diversion is located within NW¼ NE¼, Section 32, T38N, R42E, M.D.B. & M., or at a point from which the North East corner of said Section 32 bears N 86° 04' 14" E, 1,594.25 feet.
If point of diversion is not changed, do not answer.

7. Proposed place of use S½ Section 27, S½ Section 28, All of Section 33, T38N, R42E, M.D.B. & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use E½, E½ W½, SW¼ SW¼, Section 28, NW¼ NW¼, Section 33, NE¼ Section 32, T38N, R42E, M.D.B. & M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.

11. 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, with pump, to discharge into 8" proposed pipeline, conveying water to existing holding tank.
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works $80,000.00

13. Estimated time required to construct works Two (2) years.

14. Estimated time required to complete the application of water to beneficial use Three (3) years.

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

This application would be comingled with other permits, Nos. 37950, 38384, 43130, and 48037, sothat total duty will not exceed 260.68 million gal/year. Place of use reflects area for tailings pond, heap leach facilities,and pit operations not covered in Permit No. 38385. This well will serve as drainage for open pit mining.

By s/ H D Harper
H.D. Harper Gen. Manager
P.O. BOX 192
WINNEMUCCA, NEVADA 89445

Compared pm/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 following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 38385 is issued subject to the terms and conditions imposed in said Permit 38385 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and 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 the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 43130, 48037, 51388, 51389, 51390, 51427, 51428 and 51429 shall not exceed 350.452.million gallons annually.

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.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.8 cubic feet per second, but not to exceed 260.68 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 5, 1988

Proof of completion of work shall be filed before December 5, 1988

Application of water to beneficial use shall be made on or before November 5, 1989

Proof of the application of water to beneficial use shall be filed on or before December 5, 1989

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

Completion of work filed AUG 12 1988

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 March, ~~A.D. 19 88~~

State Engineer

2407 (Rev. 6-81)

Abrogated By 542063

(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.