

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 OCT 7 1987

Returned to applicant for correction

Corrected application filed Map filed OCT 7 1987

The applicant Kingston Consolidated Mines, Inc.

47 Glen Carran Circle of Sparks Street and No. or P.O. Box No. City or Town

Nevada 89431 hereby makeS application for permission to change the State and Zip Code No.

Point of Diversion and the Place of Use Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit Number 47554 (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 Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.0 second feet 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 In the S.E. 1/4 of the S.W. 1/4 of Section 22, T.16N., R.43E., M.D.M, or at a point from which the S.E. Corner of Section 36, distance to a section corner. If on unsurveyed land, it should be stated. T.16N., R.43E., M.D.M. bears S.50°49'13"E., a distance of 17,490 feet.

6. The existing permitted point of diversion is located within the NW 1/4 of the NW 1/4 of Section 27, T16N., R.43E., M.D.M., or at a point from which the NW corner of Section 6, T.15N., R.44E., M.D.M. bears S57°36'11"E., a distance of 16,922 feet.

7. Proposed place of use S.E. 1/4 of the S.W. 1/4 Section 22, T.16N., R.43E., M.D.M., NE 1/4 of the NW 1/4 Section 27, T.16N., R.43E., M.D.M., and SE 1/4 of the NW 1/4 Section 27, T.16N., R.43E., M.D.M.

8. Existing place of use N.W. 1/4 Section 27, T.16N., R.43E., M.D.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 1st to December 31st of each year. Month and Day Month and Day

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

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.) Berkley 2 h.p., 480 volt 27 stage Submersible Turbine pump, pipeline, and Storage 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

13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use..... 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.

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By..... Bruce W. Borgen
Kennedy/Jenks/Chilton
s/ Bruce W. Borgen
160 Hubbard Way, #2
Reno, Nevada 89502

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 47554 is issued subject to the terms and conditions imposed in said Permit 47554 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.

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

The total combined duty of water under Permits 51414 and 51709 shall not exceed 105.1 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 (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 1.0 cubic feet per second but not to exceed 105.1 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... July 12, 1989

Proof of completion of work shall be filed before..... August 12, 1989

Application of water to beneficial use shall be made on or before..... July 12, 1990

Proof of the application of water to beneficial use shall be filed on or before..... August 12, 1990

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

Completion of work filed..... OCT 11 1990 IN TESTIMONY WHEREOF, I..... PETER G. MORROS

Proof of beneficial use filed..... 9-12-89 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1st day of June

Cultural map filed.....

Certificate No. 13054 Issued OCT 10 1991 A.D. 19 88 [Signature] State Engineer

(PERMIT TERMS CONTINUED)

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.

Any water pumped from this source that is used and returned to any surface water source must be done in compliance with all water pollution control laws.