

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 **DEC 28 1987**

Returned to applicant for correction

Corrected application filed Map filed **DEC 28 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 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 Number 47226
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is underground (Tunnel)
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 1.0 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Mining, Milling, and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Mining, Milling, and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point the SE 1/4 of the SW 1/4 of Section 22, T.16.N., R.43E., M.D.M., or at a point from which the Southeast Corner of Section 36, T.16.N., R.43E., M.D.M., bears South 52°38'13" East, a distance of 17,400.00 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 stated.
- The existing permitted point of diversion is located within the NW 1/4 of the NW 1/4 of Section 27, T.16.N., R.43E., M.D.M., or at a point from which the Northwest Corner of Section 6, T.15.N., R.44E., M.D.M., bears South 54°13'26" East, a distance of 17,559.4 feet.
If point of diversion is not changed, do not answer.
- Proposed place of use the SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4, Section 22, T.16.N., R.43E., M.D.M., the E 1/2 of the NW 1/4 and the W 1/2 of the NE 1/4, Section 27, T.16.N., R.43E., M.D.M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use the NW 1/4 of Section 27, T.16.N., R.43E.
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.
- Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
- Use was permitted from January 1st to December 31st of each year.
Month and Day Month and Day
- 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.) pump and waterline
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works \$1,000.00
- 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.

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

Compared..... pm/ kr..... 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 47226 is issued subject to the terms and conditions imposed in said Permit 47226 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 2 - 1992

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..... 1st..... day of..... June.....

A.D. 19..... 88.....
Peter G. Morros
State Engineer

2407 (Rev. 6-81) SEP 07 1993
WITHDRAWN BY APPLICANT
[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.