

ASSIGNED

No. 51772

AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

JAN 19 1988

Date of filing in State Engineer's Office.....

FEB 22 1988

Returned to applicant for correction.....

Correction application filed.....

MAR 29 1988

Map filed.....

The applicant Thomas J. DeMull.....

350 South Rock, Suite E, of Reno, Nevada 89502

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.)

1. The source of the proposed appropriation is Underground

2. The amount of water applied for is 3.0 second-feet

3. The water to be used for mining, milling and domestic

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: within the NE 1/4 of the NE 1/4 of Section 5, T.29N., R23E., MDB&M at a point which bears S 33° 10' W a distance of 372.10 feet from the NE Corner of said Section 5.

6. Place of use within Sections 2-5, 9-11, 15, 16, 21 and 22 T.29N., R.23E., MDB & M; within Sections 19 - 35 T.30N., R.23E., MDB & M.

7. Use will be 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.) drilled and cased well, submersible pump and motor, distribution pipeline and storage reservoir.

9. Estimated cost of works \$50,000.00

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

11. Estimated time required to complete the application of water to beneficial use. five 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 utilized for conventional heap leaching precious metal recovery. Further data will be supplied at a later date.

By /s/ George W. Ball, Jr.
George W. Ball, Jr., Cert. 409
730 Tahoe Street
Reno, NV 89509

Compared kr/se

Protested 4-18-88 by United States Gypsum Co.

DENIAL OF STATE ENGINEER

deny

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 application is herewith denied on the grounds that there is no unappropriated water in the proposed source of supply, the granting thereof would adversely effect existing rights and would not be in the public interest.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed _____ cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before _____

Proof of completion of work shall be filed before _____

Application of water to beneficial use shall be filed on or before _____

Proof of the application of water to beneficial use shall be filed on or before _____

Map in support of proof of beneficial use shall be filed on or before _____

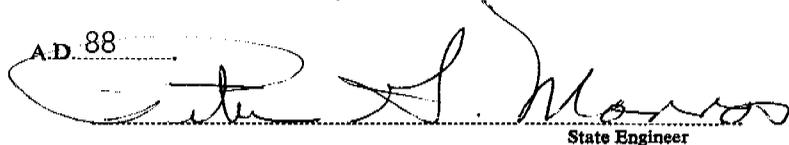
Completion of work filed _____

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 28th day of November

A.D. 88

State Engineer