

ASSIGNED

No 51847

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

Date of filing in State Engineer's Office FEB 19 1988

Returned to applicant for correction MAR 07 1988

Corrected application filed MAR 18 1988

Map filed MAR 18 1988 under 51841

The applicant St. Joe Bullfrog, Inc.

P.O. Box 576, of Beatty, Nevada 89003  
Street and No. or P.O. Box No. City or Town State and Zip Code No.

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.) January 25, 1988; State of Delaware

1. The source of the proposed appropriation is underground  
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 4.46 second-feet  
One second-foot equals 448.83 gals. per min.

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

3. The water to be used for mining, milling, and related domestic  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

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") See No. 12

(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 NW1/4 SW1/4, Sec. 3,  
Describe as being within a 40-acre subdivision of public

T.13S., R.46E., M.D.B.&M. (unsurveyed), at a point from which the SE corner of survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

Section 33, T.12S., R.46E., M.D.B.&M. bears N. 06° 58' 02" W a distance of 3154.85 feet.

6. Place of use Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19,  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36, T.12S., R.46E., M.D.B.&M.,

Sections 7, 18, 19, 30, and 31, T.12S., R.47E., M.D.B.&M., Sections 1, 2, 3 T.13S.,

R.46E., M.D.B.&M.

7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day

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 well, pump and pipe-line  
State manner in which water is to be diverted, i.e. diversion structure, ditches and

distribution system.  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$100,000.00

10. Estimated time required to construct works..... 2 years  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years

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

Annual consumptive use of this well, in combination with wells specified on permit application No. 51841 through 51846, 51848, and 51891 will not exceed 4.46 cfs (2000 gpm expanded year-round or 1,051,200,000 gallons per year). The projected life of the mine is 15 years and, thus, the water use is temporary in nature. Water will be used for mining, milling, and domestic purposes associated with the mine.

By s/Forrest L. Fox  
Forrest L. Fox, Agent  
Hydro-Search, Inc.  
333 Flint St., Reno, Nevada 89501

Compared... bk/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:

Pursuant to NRS 534.120, the State Engineer declares mining and milling to be a preferred use of the limited resource within the Amargosa Desert Ground Water Basin as described in the State Engineer's Order No. 724, dated May 14, 1979.

This permit is issued subject to existing rights. It is 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 placed 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 Engineer's records indicate that the total ground water withdrawals under existing rights in the Amargosa Ground Water Basin has been less than the perennial yield from 1983 through the irrigation season of 1988. This permit is issued with the clear understanding that the State Engineer does not waive any right to regulate and restrict groundwater withdrawals under this permit if withdrawals (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 4.46 cubic feet per second, but not to exceed 3,200 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... November 4, 1990

Proof of completion of work shall be filed on or before..... December 4, 1990

Application of water to beneficial use shall be made on or before..... November 4, 1993

Proof of the application of water to beneficial use shall be filed on or before..... December 4, 1993

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

Completion of work filed..... SEP 7 1990

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

Cultural map filed.....

office, this 4th day of November

Certificate No..... Issued.....

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

RECEIVED

JAN 6 1991

(PERMIT TERMS CONTINUED)

under existing rights increase or exceed the perennial yield of the groundwater basin.

The permittee shall develop a monitoring plan for both surface water and groundwater and submit this plan to the State Engineer for approval prior to any water being pumped from wells under Permits 51841 through 51848, inclusive, with the exception of the 400 gallons per minute previously approved under Permit 51842. This monitoring plan must show what, if any, impacts pumping from the wells under these permits will have on existing rights. This plan must be submitted to the State Engineer within three months after approval of these permits. This monitoring plan must address all conditions of monitoring as stated in The National Parks Service Position with Respect to the Applications for Water in Amargosa Valley by St. Joe Bullfrog, Inc. (Bond Gold) prepared by the Water Resource Division of the National Park Service dated September 16, 1988. Upon approval of this monitoring plan by the State Engineer, the permittee shall submit a report to the State Engineer on a semi-annual basis which contains all surface and groundwater measurements and water use data from each of the permittee's wells.

The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of data submitted as a result of the monitoring program.

The duty under Permits 51841 through 51848, inclusive, is initially limited to 1500 acre-feet for the calendar year 1989. The annual duty of water allowed under Permits 51841 through 51848, inclusive, may be raised to a maximum of 3200 acre-feet per year as approved and authorized by the State Engineer after the review of the monitoring data.

The manner of use of water under this permit is by nature a temporary use and Permits 51841 through 51848, inclusive, will expire at the termination of this project or on January 1, 2000, whichever occurs first.

This permit is further issued subject to the understanding between St. Joe Bullfrog, Inc. (Bond Gold) and the National Park Service dated September 16, 1988, as set forth in the document titled The National Parks Service Position with Respect to the Applications for Water in Amargosa Valley by St. Joe Bullfrog, Inc. (Bond Gold) on file in the State Engineer's office.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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