No 52292

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUL 6 1988

Returned to applicant for correction

Correction application filed

Map filed November 10, 1978 under 35675

The applicant Tonopah Divide Mining Company

P.O. Box 10622, of Reno,
Street and No. or P.O. Box No. City or Town

Nevada 89510, hereby make s application for permission to appropriate the public
State and Zip Code No.

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.) Incorporated on 3 June, 1912, in the State of Nevada.

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 0.5 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 domestic purposes
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 NW¼ NW¼ Sec. 35, T2N., R.42E., M.D.B.&M. at a point from which the SW cor. of said sec. 35 bears S 8° 45' west a distance of 4215.91 ft.
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 so stated.

6. Place of use within section 34, township 2 North, Range 42 East, (within the SW¼ NW¼ sec. 34, T.2N., R.42E., M.D.B.&M. as shown on the Map to Accopmany Application for Permit 35675)
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will be 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 and cased well with submersible eletric pump
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works $10,000

10. Estimated time required to construct works (Re: Permit 35675) well was drilled to 385 ft in 1979 by Brinkerhoff Pump & Drilling Co., Inc., and (If well completed, describe works.) completed in 1980 by Thompsen Drilling Co. with a 5hp Sta-rite submersible pump, well seal, etc.

11. Estimated time required to complete the application of water to beneficial use 4 yr-Exploration is continuing in the area and water will be used for exploration drilling as needed. However, it is estimated that 4 years will be required to find, develop, mine and begin processing sufficient ore to establish beneficial use.

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 used for exploration, mining, milling and domestic purposes, 24 hours per day, 365 days per year. The exact process is not now known. It is anticipated, however, that processing will take place as above mentioned 24 hours per day, 365 days per year. The rate of diversion of 0.5 cfs will be required.

s/ Edward P. Jucevic
By Edward P. Jucevic, P.E., Agent
P. O. Box 21097
Reno, Nevada 89515-1097

Compared pm/ jjk 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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also 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 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 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

(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 0.5 cubic feet per second, but not to exceed 117.8 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 2, 1989

Proof of completion of work shall be filed before June 2, 1989

Application of water to beneficial use shall be filed on or before June 2, 1989

Proof of the application of water to beneficial use shall be filed on or before June 2, 1989

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

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 2nd day of June A.D. 89

State Engineer

218 (Rev.)

Abrogated By 52749 0.5 cfs

(PERMIT TERMS CONTINUED)

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.

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