

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

~~AUG 11 1988~~ NEW PRIORITY DATE: AUG 25 1999

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

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... AUG 11 1988 under 52407

The applicant TICUP MINING CORPORATION

P.O. BOX 334, of East Ely,
Street and No. or P.O. Box No. City or Town

Nevada 89315, 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.) March 31, 1983, NEVADA

1. The source of the proposed appropriation is Underground-Tunnel No. 2
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.0 c.f.s. 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 Quasi-Municipal
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").....

(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 SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30,
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.

T. 24 N., R. 63 E., M.D.B. & M., or at a point from which the SE Corner of Section 32 T. 24 N. R.63 E., Bears S. 55°14'50" E., at 10,350.42 feet.

6. Place of use SE $\frac{1}{4}$ of Section 31 and SW $\frac{1}{4}$ of Section 32 T. 24 N., R. 63 E., M.D.B.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

& M. Lots 3 and 4 of Section 5 and Lots 1 and 2 of Section 6, T. 23 N., R. 63 E.,

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.) Water will be developed by a water tunnel
State manner in which water is to be diverted, i.e. diversion structure, ditches and
No. 2 and piped to the town of Cherry Creek through a 2 inch pipeline.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... \$15,000.00

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..... 4 years.

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

By Fred Anderson s/ Fred E. Anderson
P. O. Box 334
East Ely, Nevada 89315

Compared pm/LM cl/cm

Protested 11/22/88 by Charles J. O'Neill

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 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.

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

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The amount of water to be appropriated 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 7.3 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 24, 1998

Proof of completion of work shall be filed on or before June 24, 1998

Application of water to beneficial use shall be made on or before May 24, 2001

Proof of the application of water to beneficial use shall be filed on or before June 24, 2001

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

Completion of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P. E.

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of May

Cultural map filed..... A.D. 1996

Certificate No..... Issued..... State Engineer

(0)-5314 (Rev.)

CANCELLED JUL 30 1999 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

CANCELLED JAN 29 2002 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Signature of R. Michael Turnipseed, P.E. with handwritten note: can. rescinded 11-10-99

Signature of R. Michael Turnipseed, P.E. with handwritten initials: Justice, P.E. 82