

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

Date of filing in State Engineer's Office..... DEC 20 1988
Returned to applicant for correction..... JAN 26 1989
Corrected application filed..... MAR 07 1989
Map filed..... MAR 07 1989

The applicant..... Tenneco Minerals Company
P.O. Box 1167..... of Green River,
Street and No. or P.O. Box No. City or Town
Wyoming 82935....., hereby make 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.)..... September 26, 1979 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..... 0.446..... 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 and Milling
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..... N/A
(b) Stockwater, state number and kinds of animals to be watered..... N/A
(c) Other use (describe fully under "No. 12. Remarks")..... Heap Leach Gold Mine
(d) Power:
(1) Horsepower developed..... N/A
(2) Point of return of water to stream..... N/A
5. The water is to be diverted from its source at the following point..... SW¼ of SE¼, Sec. 6, T 22 N, R 34 E,
Describe as being within a 40-acre subdivision of public
MDB&M; from said point the Northeast corner of Sec. 1, T 22 N, R 33 E, MDB&M bears
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
N 34°07'26" W a distance of 5618.43 feet.
6. Place of use..... The exact location of the leach pads and process plant are unknown
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
at present. As of the date of this application, water will be used in portions
of the following Sections: NW¼ of SW¼ Sec. 1, T 22 N, R 33 E, and NE¼ of SE¼,
Sec. 2, T 22 N, R 33 E, and SW¼ of SW¼, Sec. 1, T 22 N, R 33 E, MDB&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 with submersible 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..... \$2800.00

10. Estimated time required to construct works Two Weeks
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 3 years

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

Consumptive use will be 12,000 gallons per hr., 24 hrs per day, 7 days per week throughout the year. The well will be used as a backup well for a heap leach gold operation. Water from the well will, also, be used for exploration drilling in the area.

By /s/ Gary L. Beahm
5301 Londley Lane, Suite 113
Reno, Nevada 89511

Compared kh/ ps bp/ct

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 place 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.

No perforations shall be put in the production casing from ground level to 100 feet.

(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 0.446 cubic feet per second, but not exceed 23.723 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 8, 1990

Proof of completion of work shall be filed on or before October 8, 1990

Application of water to beneficial use shall be made on or before September 8, 1992

Proof of the application of water to beneficial use shall be filed on or before October 8, 1992

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

Completion of work filed OCT 10 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 office, this 8th day of September

Cultural map filed _____ A.D. 1989

Certificate No. _____ Issued _____
54104 0.223
Authorized By Temp
54286 0.223 WDN 12/17/03

Peter G. Morros
State Engineer

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 52442 and 52786 shall not exceed 23.723 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 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.

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