

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 18 1989

Returned to applicant for correction

Corrected application filed Map filed JAN 18 1989

The applicant FMC PARADISE PEAK CORPORATION
5011 MEADOWOOD WAY, SUITE 200 of RENO
NEVADA 89502 State and Zip Code No. here by make application for permission to change the

POINT OF DIVERSION
of water heretofore appropriated under APPLICATION FOR PERMIT 47751
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is UNDERGROUND
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 4.46 CFS IN COMBINATION WITH APPLICATION FOR PERMITS 47750, 47752, 47753.
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for MINING, MILLING, AND RELATED DOMESTIC USE
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for SAME
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW 1/4 NE 1/4 SECTION 10, T10N, R36E AT A
POINT FROM WHICH THE N.E. CORNER OF THE NE 1/4 NW 1/4 OF SECTION 10 BEARS
N 23° 29' W A DISTANCE OF 1956 FEET (PROJECTED) M.D.B. &M.

6. The existing permitted point of diversion is located within NW 1/4 SW 1/4 SECTION 18, T11N, R36E,
MDB &M AT A POINT FROM WHICH THE SW CORNER OF SECTION 31 OF SAID TOWNSHIP BEARS S 3° 27' WEST 18,067 FEET.

7. Proposed place of use MINING AND MILLING OPERATIONS IN SECTIONS 2, 3, 4, 5, 8, 9, 10, 11, T10N, R36E
M.D.B. &M.

8. Existing place of use SAME
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 of each year.

11. 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, ELECTRIC PUMP AND PIPELINE
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$100,000.00

13. Estimated time required to construct works ONE (1) YEAR

14. Estimated time required to complete the application of water to beneficial use..... ONE (1) YEAR.....

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

ANNUAL CONSUMATIVE USE OF WELL IN COMBINATION WITH APPLICATION FOR PERMITS 47750, 47752, 47753 WILL NOT EXCEED 4.46 CFS (2000 GPM EXPANDED YEAR-ROUND, OR 1,051,200,000 GALLONS PER YEAR. WATER TO BE USED IN A MILLING-MINING COMPLEX.

By s/ Phil L. Oberlander Phil L. Oberlander Hydro-Search, Inc. 333 Flint St., Reno, Nevada 89501

Compared..... jm/ se ..... bp/ se .....

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 47751 is issued subject to the terms and conditions imposed in said Permit 47751 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and 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 the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 total combined duty of water under Permits 47750, 47758, 47759, 48064, 48681, 48682, 52870, 52871 and 52872 shall not exceed 1051 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 (CONTINUED ON PAGE 2)

The amount of water to be changed 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 1051 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 19, 1989

Proof of completion of work shall be filed before January 19, 1990

Application of water to beneficial use shall be made on or before December 19, 1989

Proof of the application of water to beneficial use shall be filed on or before January 19, 1990

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

Completion of work filed..... IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 23rd day of August, A.D. 19 89

Certificate No. Issued JAN 17 1991

Peter G. Morros State Engineer

STATE ENGINEER (with signature and stamp)

(PERMIT TERMS CONTINUED)

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.