

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. MAR 10 1989

Returned to applicant for correction

Corrected application filed. Map filed. MAR 10 1989 Under 53002

The applicant. Freeport McMoran Gold Company

Mountain City Star Route of Elko Nevada 89801

State and Zip Code No. hereby make application for permission to change the

point of diversion

of water heretofore appropriated under permit no. 50509

Identify right in Decree.)

1. The source of water is underground (Dust well no. 2)

2. The amount of water to be changed. 0.25

3. The water to be used for. mining/milling/dust suppression and domestic

4. The water heretofore permitted for. mining/milling/dust suppression and domestic

5. The water is to be diverted at the following point within the NE 1/4 SW 1/4 Section 2, T.42N., R.53E., M.D.M., from which the SE corner of Sec. 31, T.43N., R.54E., bears N.74°50'E., 14,158 ft. dist.

6. The existing permitted point of diversion is located within the SW 1/4 NW 1/4 Sec. 12, T.42N., R.53E., M.D.M., from which the SE corner of Sec. 31, T.43N., R.54E., bears N.53°54'E., 12,714 ft. dist.

7. Proposed place of use. Same as existing

8. Existing place of use. Portions of: T.42N., R.53E., Sec. 1: Lots 1, 2, 3, 4, S 1/2 NW 1/4, SW 1/4; Sec. 2: All; Sec. 11: All; Sec. 12: W 1/2, W 1/4 E 1/4; T.43N., R.53E.: Sec. 35: S 1/2 SE 1/4; Sec. 36: SE 1/4 NE 1/4, SE 1/4 E 1/2 SW 1/4, SW 1/4 SW 1/4; T.42N., R.54E.: Sec. 3: Lots 3, 4; Sec. 4: Lots 1, 2, 3, 4; Sec. 5: Lots 5, 6; T.43N., R.54E.: Sec. 31: S 1/2 N 1/2, S 1/2; Sec. 32: S 1/2 NW 1/4, S 1/2; Sec. 33: S 1/2 S 1/2, NE 1/4 SE 1/4; Sec. 34: SW 1/4

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 and cased well, pipe lines, storage tank, pump and motor

12. Estimated cost of works \$60,000.00

13. Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use two years

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

Water from this source is to be used for dust suppression at the crusher location near the mine, and for dust suppression on the haul road to the mill site, for mine shop maintenance uses and domestic consumption, and to supply drilling machinery in an exploration program. Estimated annual consumption same as described under permit 50509.

By William A. Nisbet  
s/William A. Nisbet  
421 Court Street  
Elko, Nevada 89801

Compared jjs/bk 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 50509 is issued subject to the terms and conditions imposed in said Permit 50509 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.

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

The total combined duty of water under Permits 50672, 51163, 51292, 51399, 51400, 52452, 53002, 53003, 53271, 53272 and 53273 shall not exceed 377 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 (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 0.25 cubic feet per second, but not to exceed 38 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 1, 1991

Proof of completion of work shall be filed before March 1, 1991

Application of water to beneficial use shall be made on or before February 1, 1992

Proof of the application of water to beneficial use shall be filed on or before March 1, 1992

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

Completion of work filed APR 4 1991

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 27th day of February,

A.D. 19 90

[Signature]  
State Engineer

Abrogated By 51254 Tol Eyo 6-24-92  
51255 T 0.1  
59080 0.1  
59081 0.1 wdm 6-5-98

(PERMIT TERMS CONTINUED)

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.

