Serial No. 53164

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 APR 21 1989

Returned to applicant for correction

Corrected application filed Map filed APR 21 1989

The applicant Cordex Exploration Co.

573 East 2nd Street (Street and No. or P.O. Box No.) of Reno (City or Town)

Nevada 89502 (State and Zip Code No.) hereby makes application for permission to change the

Point of Diversion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 45547 (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 Well No. 6 (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 1.0 cfs (Second feet, acre feet. One second foot equals 448.3 gallons per minute.)
3. The water to be used for Mining and Milling (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Mining and Milling (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 SE¼ SE¼ of Section 33, T 37 N, R 49 E, MDB & M., at a point from which the SW corner of Section 3, T 36 N, R 49 E, MDB & M., bears S 3° 48' 08" E, 5598.24 feet. (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 stated.)
6. The existing permitted point of diversion is located within SW¼ SW¼ of Section 34, T 37 N, R 49 E, MDB & M., at a point from which the SW corner of Section 3, T 36 N, R 49 E, MDB & M., bears S 4° 38' 03" W, 6053.09 feet. (If point of diversion is not changed, do not answer)
7. Proposed place of use SW¼, W½ SE¼, Portions of the NE¼ SE¼, SE¼ SE¼ of Section 33, SE¼, SE¼ SW¼, Portions of NE¼ SW¼, SW¼ SW¼ of Section 34, SW¼ Section 35, T 37 N, R 49 E, MDB & M., NE¼ Section 4, N½, SW¼ Section 3 N½ NW¼, SW¼ NW¼ Section 2, T 36 N, R 49 E, MDB & M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Same as Above (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) 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.) Exploration Dirlling of Mineral Deposits and Future Mill. (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $20,000
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

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

BOYACK SURVEYING, AGENT
By /s/ Robert E. Morley
Robert E. Morley
515 South Fifth Street
Elko, Nevada 89801

Compared kh/cc bp/ct

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 45547 is issued subject to the terms and conditions imposed in said Permit 45547 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 45542, 45543, 45544, 47971, 51907 and 53164 shall not exceed 210.24 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 1.0 cubic feet per second, but not to exceed 210.24 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 3, 1990

Proof of completion of work shall be filed before April 3, 1990

Application of water to beneficial use shall be made on or before March 3, 1991

Proof of the application of water to beneficial use shall be filed on or before April 3, 1991

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 21st day of November, A.D. 19 89

State Engineer

(Rev. 6-81) (O)-1108

Abrogated By 54566

(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.