

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

Date of filing in State Engineer's Office MAY 4 1989

Returned to applicant for correction

Corrected application filed

Map filed MAY 4 1989

The applicant ECHO BAY MINERALS COMPANY

5250 Neil Road, Suite 300, of Reno, Nevada

89502, hereby make application for permission to appropriate the public 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.) A Delaware corporation - October 26, 1986.

1. The source of the proposed appropriation is underground (Well C) Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 9.0 cfs 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, milling and domestic 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 SW 1/4 NE 1/4 Section 36, Describe as being within a 40-acre subdivision of public

Township 29 North, Range 42 East, M.D.B.&M., at a point from which the SE corner survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

of said Sec 36 bears S. 32°42'52" E, a distance of 3465.8 feet.

6. Place of use. Refer to Exhibit "A" attached hereto. Exhibit "A" place of use is the Describe by legal subdivision. If on unsurveyed land, it should be so stated.

same as that filed with Application 51710.

7. Use will begin about January 1 and end about December 31, of each year. 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 and cased well, submersible pump and State manner in which water is to be diverted, i.e. diversion structure, ditches and

motor, and extensive pipeline to place of use and discharge area. flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$250,000

- 10. Estimated time required to construct works Three years  
If well completed, describe works.
- 11. Estimated time required to complete the application of water to beneficial use Seven years.

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

Water will be used for both heap leaching and milling of precious metal ore. See letter of Meade Stirland dated April 25, 1988 which sets forth an annual consumptive duty not to exceed 2453 acre-feet annually. Water developed from this source above that needed for mining and milling purposes will be discharged in accordance with applicable approvals. Prior to any discharge, approval will first be obtained from the Nevada State Engineer and other applicable governmental entities.

By s/ Ross E. de Lipkau  
P. O. Box 2790  
Reno, Nevada 89505

Compared pm/se bp/se

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 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.

The issuance of this permit will allow the permittee to dewater the pit area. Maximum use of water for mining, milling and related purposes from all dewatering wells shall be made. All of the water from the dewatering wells not used for mining, milling and related purposes shall be returned to the groundwater source in the (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 9.0 cubic feet per second

- Work must be prosecuted with reasonable diligence and be completed on or before June 19, 1990
- Proof of completion of work shall be filed on or before July 19, 1990
- Application of water to beneficial use shall be made on or before June 19, 1993
- Proof of the application of water to beneficial use shall be filed on or before July 19, 1993
- Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUN 26 1990  
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 12th day of January,

A.D. 1990

*[Signature]*  
State Engineer

## (PERMIT TERMS CONTINUED)

manner authorized under Division of Environmental Protection's Water Pollution Control Permit issued June 7, 1989.

The total combined duty of water under Permits 49249, 51711, 51712, 52528, 52529, 52776, 52777, 52778, 53169, 53170, 53220 and 53221 shall not exceed 2500 acre-feet annually.

Monthly reports shall be submitted to the State Engineer as to how much water is pumped from each well; the amount used for mining, milling and related purposes; and the amount of water placed in the percolation system and the estimated amount of water recharged to the groundwater system.

This Permit does not extend the permittee the right to ingress and egress on public, private or corporate lands.

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.



EXHIBIT "A"

T30N R42E MDM  
Sections 26, 27, 34, 35, 36

T30N R43E MDM  
Section 30

T29N R43E MDM  
Sections 1, 2, 3, 10, 11, 12, 13, 14, S 1/2 15, E 1/2 16,  
23, 24, 25, 26, S 1/2 27, S 1/2 28, S 1/2 29,  
SE 1/4 30, E 1/2 31, 32, 33, 34, 35, 36

T29N R43E MDM  
Sections 4, SW 1/4 5, 6, 7, W 1/2 8, 10, S 1/2 14, E 1/2  
16, W 1/2 17, 18, 19, 20, 21, 22, W 1/2 23, 24,  
25, 26, 27, S 1/2 28, 29, 30, 31, 32, 33, 34,  
W 1/2, SE 1/4, SE 1/4 NE 1/4 35, 36

T28N R42E MDM  
Sections 1, 2, 3, 4, 5, N 1/2 8, 9, 10, 11, 12, 13, 14,  
15, 22, 23, 24

T28N R43E MDM  
Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26,  
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