

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 **MAY 15 1989**

Returned to applicant for correction **JUN 16 1989**

Corrected application filed **JUN 21 1989** under **53271**

The applicant **Freeport-McMoRan Gold Company**
Mountain City Star Route of **Elko**
Street and No. or P.O. Box No. City or Town
Nevada 89801 hereby make s. application for permission to change the
State and Zip Code No.
point of diversion and place of use of a portion
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under **#51802**
(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 #4**
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **0.33 cfs**
Second foot, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **Mining, Milling & Domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **Mining, Milling & Domestic**
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 **within the SW 1/4 NW 1/4 Section 29,**
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.
T 43 N, R 55 E, MDM, at a point from which the SW corner of said section bears S 5° 12' W 3,936 feet Dist.
6. The existing permitted point of diversion is located within **SE 1/4 SE 1/4 Section 30, T 43 N,**
If point of diversion is not changed, do not answer.
R 55 E, MDM, at a point from which the SW corner of Section 31, of said township, bears S 35° 32' W 8,098 feet distance
7. Proposed place of use **N 1/2 Section 3, NE 1/4 Section 4 T 42 N, R 54 E and S 1/2 SE 1/4 Section 33, S 1/2 S 1/2 Section 34, T 43 N, R 54 E, MDM**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use **N 1/2 Section 3, T 42 N, R 54 E and S 1/2 S 1/2 Section 34,**
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.
T 43 N, R 54 E, MDM
9. Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day
10. Use was permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day
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, casing, submersible pump & motor, electric service line, pipeline to storage tank**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes; or drilled well, etc.
and to heap leaching & milling facilities
12. Estimated cost of works **\$130,000.00**
13. Estimated time required to construct works **two years**

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

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

Net estimated annual consumption is as described under Permit #51082

Please send copies of all correspondence and notices to undersigned agent.

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

Compared cc/..... 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 to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 51802 is issued subject to the terms and conditions imposed in said Permit 51802 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. 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 gallons annually.

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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed..... 0.33..... cubic feet per second., but not to exceed 77.849

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

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

Proof of beneficial use filed.....

my office, this..... 27th..... day of..... February.....

Cultural map filed.....

A.D. 19..... 90

Certificate No..... Issued.....

Richard Turnipseed P.E.
State Engineer