

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 JUL 26 1989

Returned to applicant for correction.....

Corrected application filed..... Map filed JUL 31 1989

The applicant AMAX Gold, Inc.

1707 Cole Blvd. of Golden
Street and No. or P.O. Box No. City or Town

Colorado 80401-3293 hereby make application for permission to change the
State and Zip Code No.

point of diversion of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 52845
(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 .5 CFS of 1.0 CFS
Second feet, acre feet. One second foot equals 448.3 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 $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.30N., R.23E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M. or at a point from which the SE corner of said Section 33 bears S 30°
distance to a section corner. If on unsurveyed land, it should be stated.
09' E 4351'.
6. The existing permitted point of diversion is located within within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T.30N.,
If point of diversion is not changed, do not answer
R.23E., M.D.B.&M. or at a point from which the SE corner of said Section 33 bears
S 71°34'08" E 2087.53'.
7. Proposed place of use unchanged
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Sections 27, 28, 33, & 34; the S $\frac{1}{2}$ and the S $\frac{1}{2}$ N $\frac{1}{2}$ Section 21; and
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
portions of Sections 22, 26, & 35 all in T.30N., R.23E.; Section 3; N $\frac{1}{2}$ N $\frac{1}{2}$ Section
manner of use of irrigation permit, describe acreage to be removed from irrigation.
4 and portions of Sections 2, 9, 10, 15, & 16 all in T.29N., R.23E., M.D.B.&M.
9. Use will be from Jan. 1st to Dec. 31st of each year.
Month and Day Month and Day
10. Use was permitted from Jan. 1st to Dec. 31st 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, pump, motor, and water
State manner in which water is to be diverted, i.e., diversion structure, ditches,
distribution system.
pipes and flumes, or drilled well, etc.
12. Estimated cost of works in excess of \$10,000.00
13. Estimated time required to construct works 2 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.

Water in sufficient quantity cannot be pumped from the existing point of diversion. Applicant wishes to change the point of diversion so they may use all the water allowed under Permit 52845.

By s/John H. Milton, III
146 W. Second Str.
Winnemucca, NV 89445

Compared..... pm/cc 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 a portion of the waters of an underground source as heretofore granted under Permit 52845 is issued subject to the terms and conditions imposed in said Permit 52845 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 52844, 52845 and 53714 shall not exceed 325.85 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 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.

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

exceed..... 0.5.....cubic feet per second., but not to exceed 117.955 million gallons annually.....

Work must be prosecuted with reasonable diligence and be completed on or before..... March 17, 1991

Proof of completion of work shall be filed before..... April 17, 1991

Application of water to beneficial use shall be made on or before..... March 17, 1994

Proof of the application of water to beneficial use shall be filed on or before..... April 17, 1994

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

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

Proof of beneficial use filed..... office, this 17th day of July

Cultural map filed.....

A.D. 19 90
R. Michael Turnipseed
State Engineer

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

MAY 22 1991

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

R. Michael Turnipseed
STATE ENGINEER

Cancelation Voided