

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..... DEC 18 1989

Returned to applicant for correction.....

Corrected application filed..... Map filed 11-5-82 under 39995

The applicant..... Cyanco

5824 So. 320 West, Suite C-244 of Salt Lake City
Street and No. or P.O. Box No. City or Town

Utah 84107 hereby make application for permission to change the
State and Zip Code No.

Manner of Use and Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 39995, Certificate 10576
(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 1.990 cfs (784 Ac ft per Season)
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Industrial
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation and 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 Lot 3, Section 6, T. 35N., R. 37E.,
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 N1/4 Corner of said Section
distance to a section corner. If on unsurveyed land, it should be stated.
bears N. 15° 24' E., a distance of 1360.0 feet.

6. The existing permitted point of diversion is located within same as proposal
If point of diversion is not changed, do not answer

7. Proposed place of use Portion of Section 6, T35N., R37E MDB&M
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See Attached
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 Jan 1 to Dec 31 of each year.
Month and Day Month and Day

10. Use was permitted from March 1 to Nov. 30 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.) See enclosed
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 See enclosed

13. Estimated time required to construct works See enclosed

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

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

32 ac ft (20gpm) to be consumptive use for process. The balance (752 ac ft) will be non consumptive use in cooling circuit -

It will be utilized for irrigation or reinjected in accordance with appropriate NDEP permit

By..... s/ Ed Evatz
JBR Consultants Group
245 E. Liberty, #402
Reno, NV 89501

Compared..... jm/se..... bp/vw.....

Protested 3/16/90 by Sacred Rainbow Circle Ecological Foundation; Shoshone Elders Council
Pro. Overruled 5-11-90; See Transcript Ruling #3720

..... 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 manner of use and place of use of the waters of an underground source as heretofore granted under Permit 39995, Certificate 10576 is issued subject to the terms and conditions imposed in said Permit 39995, Certificate 10576 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the terms and conditions set forth in the oral ruling issued by the State Engineer on May 11, 1990.

The total combined duty of water under Permits 42887, Certificate 11236; Permit 42888, Certificate 11237; Permit 52444 and 52445 shall not exceed 1192.8 acre-feet annually. (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..... 1.99..... cubic feet per second, but not to exceed 784 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... October 18, 1990

Proof of completion of work shall be filed before..... November 18, 1990

Application of water to beneficial use shall be made on or before..... April 18, 1993

Proof of the application of water to beneficial use shall be filed on or before..... May 18, 1993

Map in support of proof of beneficial use shall be filed on or before..... May 18, 1993

Completion of work filed..... DEC 11 1990..... 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..... JUN 15 1998..... office, this..... 18th..... day of..... May.....

Cultural map filed.....

Certificate No. 15038 Issued OCT 23 1998 A.D. 19 90
Richard Turnipseed P.E.
State Engineer

(PERMIT TERMS CONTINUED)

A totalizing meter must be installed and maintained near the injection well and accurate measurements kept of the water injected.

Quarterly reports shall be submitted to the State Engineer which shows the amount of water diverted from the production well and how much water was injected for each month. These reports shall be submitted within 15 days after the end of each quarter.

Item No. 8

12.5 acres in the NW1/4 NE1/4 of Section 6, T.35N., R.37E.,
 22.9 acres in the SW1/4 NE1/4 of Section 6, T.35N., R.37E.,
 37.8 acres in the NE1/4 NW1/4 of Section 6, T.35N., R.37E., M.D.B.&M
 24.3 acres in the NW1/4 NW1/4 of Section 6, T.35N., R.37E., M.D.&M
 31.8 acres in the SW1/4 NW1/4 of Section 6, T.35N., R.37E., M.D.B.&M
 40.0 acres in the SE1/4 NW1/4 of Section 6, T.35N., R.37E., M.D.B.&M
 17.4 acres in the NE1/4 SW1/4 of Section 6, T.35N., R.37E., M.D.B.&M
 6.7 acres in the NW1/4 SW1/4 of Section 6, T.35N., R.37E., M.D.B.&M
2.6 acres in the NW1/4 SE1/4 of Section 6, T.35N., R.37E., M.D.B.&M
 196.0 acres total

#11 Description of proposed works.

Water will be diverted from existing well (appropriation Nos 39995 and 42888) by pipeline to the plant site where it will be used for the manufacturing process (1) (20gpm) and process cooling (700 gpm). Water will not be used for drinking water purposes.

The entire cooling water stream will either be used for the current proposed use, irrigation, or reinjected into the proposed underground injection well to be located 200 ft. South and 125 ft. West from the Northeast corner of Section 6, T35N R37E.

Spent cooling water will be conducted from the plant site via a buried pipeline to the injection well head at which point it will be allowed to flow by gravity down the well to the aquifer from which it was removed.

A second existing well (Appropriation Nos. 38734 and 42887), located approximately 1300 ft. east of the plant site, will be used as a back-up production well on an as-needed basis.

The injection control well will be 185 ft. deep. The well bore will be 18 inches in diameter. The well will be steel cased, screened with either screen or slotted casing over an interval of 70-180 ft. The casing and screen will be 12 inches in diameter. The entire annulus of the surface casing from a depth of 65 ft. to the surface will be grouted with neat cement grout applied with a tremie tube. The entire annulus of the screened interval will be gravel packed.

Note 1: Manufacturing process will include process makeup water, showers and toilets, and occasional truck washing.

#12 Estimated cost of works.

Total estimated cost of works is \$105,000.00

#13 Estimated time required to construct works.
(If well completed, describe well)

The Primary production well is located adjacent to the plant site and is 205 ft. deep with 16 in. casing and is screened with slotted casing from 110 ft. to 205 ft.

The Secondary production well is located east of the plant site and is 400 ft. deep and is a 14 in. diameter well. It is screened from a depth of 150-400 ft. deep.

The estimated time to complete the injection well is approximately 30 days.