

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 SEP 18 1990

Returned to applicant for correction OCT 29 1990

Corrected application filed DEC 13 1990 Map filed DEC 13 1990

The applicant SANFORD A. SHULER, JR.

P.O. BOX 9 of SEARCHLIGHT, Street and No. or P.O. Box No. City or Town

NEVADA 89046 here by make application for permission to change the State and Zip Code No.

PLACE OF USE, MANNER OF USE Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under PERMIT #49300 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 .25 cu ft./sec. Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for MINING 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 in the NE 1/4 SE 1/4 Sect. 22, Twsp 28S, R63E, MDB&M at a Point 2144.11 Ft. distance from the SE Corner of said Sect. 22 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. bearing S 30° 04' 38" E.

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

7. Proposed place of use see attached sheet (i.e. #7 Proposed Place of Use) and accompanying map. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use WHIST LODE MS #4578 Portion SW 1/4 Sect. 22, T28S, R63E, MDBM; COYOTE LODE MS #2060 Portion N 1/2 SE 1/4 and Portion SE 1/4 NE 1/4 Sect 22, T28S, R63E, MDBM & JOHN & SANFORD MS #4578 Portion N 1/2 SE 1/4 Sect. 22, T28S, R63E, MDBM 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 to December 31 of each year. Month and Day

10. Use was permitted from January 1 to December 31 of each year. 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, steel pipe casing, multi-stage electrically driven pump, storage tank, distribution piping network, water flow & depth monitoring meters, system protective devices. 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 \$20,000.00 Completed well. Has been in operation since

13. Estimated time required to construct works June 1983.

14. Estimated time required to complete the application of water to beneficial use 2 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 is to be used in the Mining, Milling process, gravity separation
and the associated processes to further refine the heavy metals.

By s/Sanford A. Shuler, Jr.
SANFORD A. SHULER, JR.
P.O. Box 9
Searchlight, NV. 89046

Compared bc/se am/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 place and manner of use of the waters of an underground source as heretofore granted under Permit 49300 is issued subject to the terms and conditions imposed in said Permit 49300 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.

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 (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 0.25 cubic feet per second, but not to exceed 2.0 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 23, 1992

Proof of completion of work shall be filed before July 23, 1992

Application of water to beneficial use shall be made on or before June 23, 1993

Proof of the application of water to beneficial use shall be filed on or before July 23, 1993

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

Completion of work filed SEP 25 1991

Proof of beneficial use filed MAY 09 1997

Cultural map filed _____

Certificate No. 14726 Issued OCT 17 1997

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

office, this 2nd day of August,

A.D. 1991

R. Michael Turnipseed, P.E.
State Engineer

(PERMIT TERMS CONTINUED)

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.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used for mining and milling purposes.

The issuance of this permit does not establish any rights possessory or otherwise to specific mining claims or determine any boundary locations or dispute.



APPLICATION FOR PERMISSION TO CHANGE PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

7. PROPOSED PLACE OF USE

Portion of SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 22 Portion within WHIST MS #4578 NW Corner Boundaries ^{*1}

Portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 22 Portion within WHIST MS #4578 SW Corner Boundaries

S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 22 Portion within WHIST MS #4578 northerly & Easterly Boundaries

N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sect. 22 Except SW Corner of NEW DIAMOND MS #4578

Portion of E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SECT. 22 Portion within NW & Westerly Boundaries of COYOTE MS #2060, JOHN & SANFORD MS #4578 and COYOTE MILL SITE #1 ^{*2}

Portion of N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sect. 22 Portion outside of the NEW DIAMOND MS #4578 South Boundary & M&R #1 Northerly Boundary ^{*3}

Portion of SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sect. 22 Portion outside INDEPENDENCE MS #2094 East & SE Boundaries

All of NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sect. 22 except portion of INDEPENDENCE MS #2094 and portion of E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sect. 22

N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sect. 22 except Northerly & Easterly Boundaries of M&R #1 Claim except portion of E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sect. 22

Portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23

Portion of W $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sect. 23

BY: *Sanford A. Shuler, Jr.*
SANFORD A. SHULER, JR.

DATE: Dec. 13, 1990

21:15

* REFERENCE 1. Clark County 12/30/87, Book 871207, Inst. 00538, Pg. 047-0034
2. Clark County 3/21/83, Book 1705, File 39, Pg. 84 (1664867)
3. Clark County 7/1/87, Book 870701, Instr. 00570, Pg. 046/0055

