

TEMPORARY

ASSIGNED  
Serial No. 56367

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 24 1991

Returned to applicant for correction

Corrected application filed Map filed MAY 24 1991

The applicant Lone Tree Mining, Inc.

Box 27019 of Albuquerque City or Town

New Mexico 87125 State and Zip Code No. hereby make<sup>s</sup> application for permission to change the

Point of Diversion

Point of diversion, manner of use, and/or place of use Permit 54763 of water heretofore appropriated under

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 WW-6 Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 5.0 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining, Milling and Domestic & Dewatering Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Mining Milling 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 SE 1/4 SE 1/4 of Section 11, T. 34N, R. 42E., M.D.B. & M. 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.

6. The existing permitted point of diversion is located within SW 1/4 SE 1/4 of Section 11, T. 34N, R. 42E., M.D.B. & M. or at a point from which the SE corner of said Section 11 bears S 71°33'11"E a distance of 2421.75 feet. If point of diversion is not changed, do not answer.

7. Proposed place of use Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 27 T. 34N., R. 42E., M.D.B. & M. & S 1/2 NE 1/4, N 1/2 SE 1/4 Section 29, T. 35N., R. 43E., Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Same 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.) Well casing, pump and distribution system 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 \$100,000.00

13. Estimated time required to construct works Two Years

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

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

This is an application for a temporary permit. Water will be used in a mining and milling complex. Water from this application to be comingled with water from applications No. 54759 through 54764, for a combined annual duty of 3,620 acre feet.

By..... HYDRO-SEARCH, INC.  
s/ David J. Herzog  
David J. Herzog  
5250 S. Virginia, Suite 280  
Reno, Nevada 89502

Compared..... am/bk 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 temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 54763 is issued subject to the terms and conditions imposed in said Permit 54763 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 54247, 54759, 54760, 54761, 54762, 54763, 54764, 55547-T, 55548-T and 56367-T shall not exceed 1024.5 million 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. (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..... 5.0 ..... cubic feet per second, but not to exceed 1024.5 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

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

Completion of work filed.....  
Proof of beneficial use filed.....  
Cultural map filed.....  
Certificate No..... Issued.....

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 28th day of June

A.D. 19..... 91.....  
*R. Michael Turnipseed*  
State Engineer

TEMPORARY

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EXPIRES  
DATE

## (PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

Any water obtained under Permits 54247, 54759, 54760, 54761, 54762, 54763, 54764, 55547-T, 55548-T and 56367-T as a result of the dewatering program by the permittee shall be used first for mining, milling, heap leaching, drilling, road water and other related mining and milling uses within the places of use as described.

Any excess water from the dewatering program not utilized for mining and milling purposes must be disposed of in a manner approved by the State Engineer.

A monitoring plan must be submitted to the State Engineer for approval prior to any dewatering or within 30 days from the issuance of this permit.

A monthly report shall be submitted to the State Engineer within 10 days from the end of the month which shall include the amount of water pumped from each well, the amount of water used for mining and milling purposes, and all measurements required in the approved monitoring plan.

The State Engineer retains the right to regulate the pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on June 27, 1992 at which time all rights herein granted shall revert to the right being changed by this temporary permit.