

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

NEW PRIORITY DATE:

~~JAN 17 1992~~ NOV 3 2006

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed Map filed April 19, 1985 under 48996

The applicant Pegasus Gold Corporation

N. 9 Post Street, Suite 400 of Spokane City or Town

Washington 99201 State and Zip Code No. hereby make application for permission to change the

Point of diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit #49000

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

(Intent is to change point of diversion from Permit #49000 to Permit #48999.

1. The source of water is underground Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.0 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 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 SWP, NW 1/4 (Lot 1) Section 3, T.31 N., Describe as being within a 40-acre subdivision of public survey and by course and

R.33 E. MDBM or at a point from which the SW corner of Section 3, T.31 N., distance to a section corner. If on unsurveyed land, it should be stated.

R.33 E. MDBM bears S 18° W a distance of 3420 feet.

6. The existing permitted point of diversion is located within SE 1/4, SE 1/4, Section 4, T.31 N., If point of diversion is not changed, do not answer.

R.33 E. MDBM or at a point from which the SW corner of Section 3, T.31 N.,

R.33 E. MDBM bears S 45° E a distance of 300 feet.

7. Proposed place of use Section 2, 3, 4, 9, 10, 11, 14, 15, 16, 37, 38 and Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

39, T.31 N., R.33 E. MDBM

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 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, pump, and pipeline State manner in which water is to be diverted, i.e. diversion structure.

to place of use. ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$75,000

13. Estimated time required to construct works Completed. 16" diameter well drilled 730 feet, pump set at a depth of 480', totalizing meter in operation on pipeline.

- 14. Estimated time required to complete the application of water to beneficial use. PBU submitted 11-27-90
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

.....

By s/ Nancy L. Logue
P.O. Box 330
Imlay, NV 89418

Compared jv/ mv ab/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 of the waters of an underground source as heretofore granted under Permit 49000 is issued subject to the terms and conditions imposed in said Permit 49000 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 48997, Certificate 13237; 48998, Certificate 13238; 48999, Certificate 13239; 49931, Certificate 13240; 53342, Certificate 13245; 57096, 57097 and 57098 shall not exceed 268 million gallons 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 1.0 cubic feet per second, but not to exceed 106.77 million gallons annually.

- Work must be prosecuted with reasonable diligence and be completed on or before June 14, 1994
- Proof of completion of work shall be filed before July 14, 1994
- Application of water to beneficial use shall be made on or before June 14, 1995
- Proof of the application of water to beneficial use shall be filed on or before July 14, 1995
- Map in support of proof of beneficial use shall be filed on or before N/A

JUN 02 1994

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 8th day of October

Cultural map filed.....

A.D. 19 93

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

EXP. 11/30/95 60314-T 0.5, 60326-T 0.1 EXP. 11/30/95 60327-T 0.1
 EXP. 11/30/95 60324-T 0.1, 60325-T 0.1 EXP. 11/30/95 60328-T 0.2
 EXP. 11/30/95 60711-T 0.5
 EXP. 11/30/95 71356-T 1.0

R. Michael Turnipseed, P.E.

~~CANCELLED OCT 9 7 2008 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMITS~~
T. J. P. E. STATE ENGINEER
 Can. Rescinded 1-31-07

(PERMIT TERMS CONTINUED)

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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.