

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 MAR 17 1992

Returned to applicant for correction MAR 31 1992

Corrected application filed MAY 26 1992 Map filed MAY 26 1992

The applicant Southern Pacific Land Company
250 So. Rock Blvd., Suite 110 of Reno
Nevada 89502

hereby make application for permission to change the Point of Diversion

of water heretofore appropriated under Permit No. 46910
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 4.0 second-feet
Second foot, 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 in the NE 1/4 SE 1/4 Section 24, T.21N., R.23E.,
M.D.B.&M., or at a point from which the East 1/4 corner of said Section 24 bears
N. 00° 50' 55" E. a distance of 275.42 feet.

6. The existing permitted point of diversion is located within the NW 1/4 SW 1/4 Section 19, T.21N.,
R.24E., M.D.B.&M., or at a point from which the Southwest corner of Section
25, T.21N., R.23E., bears S. 35° 09' 05" W. a distance of 9,469 feet.

7. Proposed place of use Sections 20, 21, 22, 23, 25, 26, 27, 28, 29, 32, 33, 34, 35,
T.21N., R.23E., M.D.B.&M., and Sections 19 and 31, T.21N., R.24E., M.D.B.&M.

8. Existing place of use Sections 20, 21, 22, 23, 25, 26, 27, 28, 29, 32, 33, 34 and 35,
T.21N., R.23E., M.D.B.&M., and Sections 19 and 31, T.21N., R.24E., M.D.B.&M.

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 of each year.

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, storage tank and pipeline to mine site and mill site.

12. Estimated cost of works \$100,000.

13. Estimated time required to construct works Completed. 730 feet deep, 13 1/2" diameter, casing 8 5/8" O.D. to 720 feet; pump 50hp submersible turbine, pipeline capacity 650 gpm, 1.448 cfs.

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

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

Water generated from Permit No. 46910 will continue to supply water to mining operations in the above sections listed in proposed place of use. Water has been pumped continuously since 1983 when the well and facilities were completed excepting 8-9 months of 1991 while mining operation submitted reorganization plan under Chapter 11 Bankruptcy act.

By s/Ted Fitzpatrick Agent.  
250 So. Rock Blvd.  
Reno, NV., 89502

Compared bc/bc cl/cmg

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 46910 is issued subject to the terms and conditions imposed in said Permit 46910 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. 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 46908, 52763 and 57310 shall not exceed 943.6 million gallons annually.

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 the well and the amount of water used.

The issuance of this permit totally abrogates Permit 46910.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.864 cubic feet per second, but not to exceed 203.758 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 21, 1996

Proof of completion of work shall be filed before February 21, 1996

Application of water to beneficial use shall be made on or before January 21, 1997

Proof of the application of water to beneficial use shall be filed on or before February 21, 1997

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

Completion of work filed JAN 30 1996

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 3rd day of November

A.D. 19 95

State Engineer

Abrogated By 4656 0.864

by: Christine Thiel, P.E.  
Deputy State Engineer