ASSIGNED

Serial No. 57755

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 JUN 16 1992

Returned to applicant for correction

Corrected application filed Map filed JUN 16 1992

The applicant Cordex Exploration Co.

P. O. Box 1193 (Street and No. or P.O. Box No.) of Elko (City or Town)

Nevada 89803 (State and Zip Code No.) hereby make.S application for permission to change the

Point of Diversion and Place of Use (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit no. 54566 (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 Well No. 5 (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 (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Mining & Milling (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 NE¼ NE¼ of Section 4, T36N, R49E, MDB&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.) at a point from which the SE corner of said Section 4 bears S 1° 09' 19" E, 4457.54 feet.
6. The existing permitted point of diversion is located within SW¼ SW¼ of Section 34, T37N, R49E, (If point of diversion is not changed, do not answer.) MDB&M., at a point from which the SW corner of Section 3, T36N, R49E, MDB&M., bears S 9° 46' 09" W, 5727.69 feet.
7. Proposed place of use All of Sections 33 & 34; W½ Section 35, T37N, R49E, MDB&M., S½ (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) Section 1; All of Sections 2, 3, 4 & 9, W½ Section 10; All of Section 12, T36N, R49E, MDB&M.
8. Existing place of use SW¼, W½ SE¼, Portions of NE¼ SE¼ and SE¼ SE¼ of Section 33; SE¼, SE¼ SW¼, Portions of (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.) NE¼ SW¼ and SW¼ SW¼ of Section 34; SW¼ of Section 35, T37N, R49E, MDB&M., NE¼ of Section 4; N½, SW¼ of Section 3; N½ NW¼, SW¼ NW¼ of Section 2, T36N, R49E, MDB&M.
9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) 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, Pipelines, And Storage Ponds. (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 $50,000
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

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

The consumptive use under this application will be 210.24 million gallons annually.

HIGH DESERT Engineering, Agent
By Robert E. Morley
Robert E. Morley
515 South Fifth Street
Elko, Nevada 89801

Compared bc/ bc jr/vjw

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 and place of use of the waters of an underground source as heretofore granted under Permit 54566 is issued subject to the terms and conditions imposed in said Permit 54566 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 53715, 57755, 57756, 57757, 57758-E, 57759-E, 57882, 57883 and 58254 shall not exceed 1084.50 acre-feet annually.

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.

(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 645.20 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 3, 1995

Proof of completion of work shall be filed before April 3, 1995

Application of water to beneficial use shall be made on or before March 3, 1996

Proof of the application of water to beneficial use shall be filed on or before April 3, 1996

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

Completion of work filed APR 14 1995

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 23rd day of September, A.D. 19 94

R. Michael Turnipseed P.E.
State Engineer

(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.

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.