

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 17 1992

Returned to applicant for correction AUG 31 1992

Corrected application filed

Map filed SEP 14 1992

The applicant Echo Bay Minerals Company

P. O. Box 1658, of Battle Mountain

Nevada 89820, hereby make application for permission to appropriate the public

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) State of Delaware, Incorporated

October 26, 1986.

1. The source of the proposed appropriation is Underground (Mine Dewatering) (73-46)

2. The amount of water applied for is 7.5 second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for mine dewatering

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point within the SE 1/4 SW 1/4 of section

36, T. 29N., R. 42E., MDM, at a point from which the southeast corner of said section 36 bears S 80° 05' E a distance of 3170.4 feet.

6. Place of use refer to exhibit "A" attached

7. Use will begin about January 1 and end about December 31, of each year.

8. 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 and cased well, installed pump and electric motor and discharge piping to infiltration system.

- 9. Estimated cost of works..... \$930,000
- 10. Estimated time required to construct works..... two years
If well completed, describe works.
- 11. Estimated time required to complete the application of water to beneficial use..... five years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

By: Lori Speegle Lori Speegle, Agent
P. O. Box 1658
Battle Mountain, Nevada 89820

Compared bc/bc 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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

The issuance of this permit will allow the permittee to dewater the pit area. Maximum use of water for mining, milling and related purposes from all dewatering wells shall be made. All of the water from the dewatering wells not used for mining, (CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 7.5 cubic feet per second, but not to exceed 3000 acre-feet annually.

- Work must be prosecuted with reasonable diligence and be completed on or before June 1, 1994
- Proof of completion of work shall be filed before July 1, 1994
- Application of water to beneficial use shall be filed on or before June 1, 1997
- Proof of the application of water to beneficial use shall be filed on or before July 1, 1997
- Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 01 1994

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 1st day of June

A.D. 1993

[Signature]
 State Engineer

WITHDRAWN BY APPLICANT JUL 17 2002

[Signature] **STATE ENGINEER**

EXHIBIT A
PLACE OF USE

T30N R42E MDM
Sections 26, 27, 34, 35, 36

T30N R43E MDM
Section 30

T29N R42E MDM
Sections 1, 2, 3, 10, 11, 12, 13, 14, S 1/2 15, E 1/2 16,
23, 24, 25, 26, S 1/2 27, S 1/2 28, S 1/2 29,
SE 1/4 30, E 1/2 31, 32, 33, 34, 35, 36

T29N R43E MDM
Sections 4, SW 1/4 5, 6, 7, W 1/2 8, 10, S 1/2 14, E 1/2 16,
W 1/2 17, 18, 19, 20, 21, 22, W 1/2 23, 24, 25, 26,
27, S 1/2 28, 29, 30, 31, 32, 33, 34,
W 1/2, SE 1/4, SE 1/4 NE 1/4 35, 36

T28N R42E MDM
Sections 1, 2, 3, 4, 5, N 1/2 8, 9, 10, 11, 12, 13, 14, 15,
22, 23, 24

T28N R43E MDM
Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27



(PERMIT TERMS CONTINUED)

milling and related purposes shall be returned to the groundwater source in the manner authorized under Division of Environmental Protection's Water Pollution Control Permit issued June 7, 1989.

The total combined duty of water under Permits 49249; 51711, Cert. 12515; 51712, Cert. 12516; 52528; 52529; 52776; 52777; 52778; 53220; 55178; 55179; 55180; 55181; 55183; 55186; 55903; 55904; 55905; 56497; 56498; 56894; 57516-T; 57369; 57370 and 57967 shall not exceed 3000 acre-feet annually.

Monthly reports shall be submitted to the State Engineer as to how much water is pumped from each well; the amount used for mining, milling and related purposes; and the amount of water placed in the percolation system and the estimated amount of water recharged to the groundwater system.

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 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.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

