

TEMPORARY

Serial No. 58005 T

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. AUG 26 1992

Returned to applicant for correction.

Corrected application filed. Map filed.

The applicant. FMC Paradise Peak Corporation
Box 145 of Gabbs
Street and No. or P.O. Box No. City or Town

Nevada 89409 hereby make application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use of a Portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under. Permit #47750
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. 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 Related 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, Section 4 T.10N., R.36E. MDB&M
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the SE corner of said Section bears South 14 degrees 2
distance to a section corner. If on unsurveyed land, it should be stated.
minutes east a distance of 206 feet.

6. The existing permitted point of diversion is located within. SE 1/4 SE 1/4 Section 18, T.11N., R.36E.,
If point of diversion is not changed, do not answer.
MDB&M or at a point from which the SW corner of Section 31 T.11N., R.36E.,
MDB&M bears South 15 degrees 18 minutes, W a distance of 16,814 feet.

7. Proposed place of use. Section 1 T.10N., R.35E. MDB&M and Section 2 through 11
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
T.10N., R.36E., MDB&M.

8. Existing place of use. Section 2, 3, 4, 5, 8, 9, 10 and 11 t.10N., R.36E., MDB&M
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.) Sump pump and pipeline to a surge pond
State manner in which water is to be diverted, i.e. diversion structure.
and mill facility.
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works. \$10,000.00

13. Estimated time required to construct works. 2 years

14. Estimated time required to complete the application of water to beneficial use..... 3 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 application to temporarily change point of diversion and place of use is to allow FMC to use water anticipated to be encountered in the Paradise Peak open pit. An application and map for permanent transfer will be filed in a few months.

By s/ Forrest L. Fox
FORREST L. FOX, AGENT
Simon Hydro-Search
5250 S. Virginia Street, Suite 280
Reno, Nevada 89502

Compared ap/ se ap/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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 47750 is issued subject to the terms and conditions imposed in said Permit 47750 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 temporary 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 47750, 48682, 52871, 52872, 55779, 55781, 58005-T, 58175-T and 58176-T shall not exceed 1051 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 235.906 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 10th day of November

A.D. 19 92

[Signature of R. Michael Turnipseed]
State Engineer

TEMPORARY

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EXPIRED

DATE NOV 9 1993

(PERMIT TERMS CONTINUED)

This temporary 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.

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.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 9, 1993 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

