

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 28 1992

Returned to applicant for correction.....

Corrected application filed..... Map filed MAR 02 1988 under 51884

The applicant Rayrock Mines, Inc. D.B.A. Marigold Mining Co.

P.O. Box 9 of Valmy
Street and No. or P.O. Box No. City or Town

Nevada 89438 hereby make S. application for permission to change the
State and Zip Code No.

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

of water heretofore appropriated under Permit no. 51885
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 0.45 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 SW 1/4 SW 1/4 of Section 4, T33N, R43E, MDB&M.,
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the SW corner of said Section 4, bears S 18° 28' 26" W,
distance to a section corner. If on unsurveyed land, it should be stated.
1142.88 feet.

6. The existing permitted point of diversion is located within SW 1/4 NW 1/4 of Section 4, T33N, R43E,
If point of diversion is not changed, do not answer.
MDB&M., at a point from which the NW corner of said Section 4, bears N 24° 35'
05" W, 1970.81 feet.

7. Proposed place of use MDB&M., All of Sections 1, 12, 13, 24, 25, 36, T33N, R42E, MDB&M.,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. MDB&M., All
of Sections 17, 19, 28, 29, 30, 31, 32, 33, W 1/2, W 1/2 SE 1/4, SE 1/4 SE 1/4, Section 18, W 1/2, W 1/2 SE 1/4, SE 1/4 SE 1/4,
Section 20, T34N, R43E, MDB&M., All of Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 29, 30, 31,
32, T33N, R43E, MDB&M., Section 5, W 1/2, NE 1/4 NW 1/4, NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, Section 6,
T32N, R43E, MDB&M.

8. Existing place of use Same as above.
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.) 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 Three Years

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

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

Please use the map to accompany Permit No. 51885 for this application. The annual consumptive use of this application will not exceed 106 million gallons. The total combined duty of Permits 51884, 51885, 51886, 51887, 51888 shall not exceed 250 million gallons annually.

HIGH DESERT Engineering, Agent
By s/Robert E. Morley
Robert E. Morley
640 Idaho Street
Elko, Nevada 89801

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 to change the point of diversion of the waters of an underground source as heretofore granted under Permit 51885 is issued subject to the terms and conditions imposed in said Permit 51885 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 51884, 51886, 58020, 58021 and 58022 shall not exceed 250 million gallons 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.

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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.45 cubic feet per second, but not to exceed 106 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 22, 1993

Proof of completion of work shall be filed before August 22, 1993

Application of water to beneficial use shall be made on or before July 22, 1994

Proof of the application of water to beneficial use shall be filed on or before August 22, 1994

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

Completion of work filed JAN 28 1994

Proof of beneficial use filed SEP 21 1998

Cultural map filed _____

Certificate No. 16080 Issued MAY 13 2002

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 21st day of June,

A.D. 1993

[Signature]
State Engineer