

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 OCT 27 1992

Returned to applicant for correction _____

Corrected application filed _____ Map filed OCT 27 1992

The applicant Lac Bullfrog Inc.

P.O. Box 519 of Beatty
Street and No. or P.O. Box No. City or Town

Nevada 89003 hereby make... application for permission to change the
State and Zip Code No.

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

of water heretofore appropriated under Permit Appropriations No. 51848
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 2.0 CFS
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for mining, milling, and related 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 multiple point of diversion for a 40 acre parcel, including the SE 1/4 SW 1/4 of Section 10, T.12S., R.46E., M.D.B.&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.

6. The existing permitted point of diversion is located within the NW 1/4 SE 1/4, Section 2, T.13S., R.46E., M.D.B.&M. (unsurveyed at a point from which the SE Corner of Section 35, T.12S., R.46E., M.D.B.&M. bears N 16°57'42" East at a distance of 3275.55 feet.
If point of diversion is not changed, do not answer.

7. Proposed place of use Sections 2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22, 23,24,25,26,27,28,33,34,35,36, T.12S., R.46E., M.D.B.&M., Sections 7,18,19,30,31, T.12S., R.47E., M.D.B.&M., Sections 1,2,3, T.13S., R.46E., M.D.B.&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Sections 2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22, 23,24,25,26,27,28,33,34,35,36, T.12S., R.46E., M.D.B.&M., Sections 7,18,19,30, 31, T.12S., R.47E., M.D.B.&M., Sections 1,2,3, T.13S., R.46E., M.D.B.&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.) pump and pipeline distribution
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 \$200,000.00

13. Estimated time required to construct works two 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:

Annual Consumption use of this Multiple point of diversion is for a 40 acre parcel in combination with wells specified on Permit Application No. 51841 through 51847 and 51891 not to exceed 2.0 CFS. The 2.0 CFS. is included in the present combined acre feet of 4.46 CFS. as assigned. The water use is temporary in nature.

By s/J. P. Bingham
P.O. Box 519
Beatty, Nevada 89003

Compared bc/bc ab/se

Protested 2/4/93 by; Beatty Water and Sanitation District:
Pro. wdr. 7-21-93

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 a portion of the waters of an underground source as heretofore granted under Permit 51848 is issued subject to the terms and conditions imposed in said Permit 51848 and with the understanding that no other rights on the source will be affected by the change proposed herein. 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. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Pursuant to NRS 534.120, the State Engineer declares mining and milling to be a preferred use of the limited resource within the Amargosa Desert Ground Water Basin as described in the State Engineer's Order No. 724, dated May 14, 1979.

This permit is issued with the clear understanding that the State Engineer does not waive any right to regulate and restrict groundwater withdrawals under this permit if withdrawals under existing rights increase or exceed the perennial yield of the groundwater basin.

This permit allows for multiple wells within the described 40-acre subdivision as stated on the application. A map depicting the wells must be submitted showing the actual location of all wells drilled under this permit at the time of filing the Proof of Completion of Work. Any wells drilled under this permit in combination shall not exceed a diversion rate of 2.0 cfs.

(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 2.0 cubic feet per second, but not to exceed 1448 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 4, 1994

Proof of completion of work shall be filed before December 4, 1994

Application of water to beneficial use shall be made on or before November 4, 1995

Proof of the application of water to beneficial use shall be filed on or before December 4, 1995

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

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 30th day of November

A.D. 19 93

[Signature]
State Engineer

EXPIRED
DATE JAN 01 2000

(PERMIT TERMS CONTINUED)

The permittee shall submit a report to the State Engineer on a semi-annual basis which contains all surface and groundwater measurements and water use data from each of the permittee's wells which includes the pumping under this permit.

The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of data submitted as a result of the monitoring program on file with the State Engineer.

This permit is further issued subject to the understanding between St. Joe Bullfrog, Inc. (Bond Gold) and the National Park Service dated September 16, 1988, as set forth in the document titled The National Parks Service Position with Respect to the Applications for Water in Amargosa Valley by St. Joe Bullfrog, Inc. (Bond Gold) on file in the State Engineer's office.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The duty under Permits 51841, 51842, 51843, 51844, 51845, 51846, 51847, 51848, inclusive, 58268 and 58856-T is initially limited to 1500 acre-feet for the calendar year 1989. The annual duty of water allowed under Permits 51841, 51842, 51843, 51844, 51845, 51846, 51847, 51848, inclusive, 58268 and 58856-T may be raised to a maximum of 3200 acre-feet per year as approved and authorized by the State Engineer after the review of the monitoring data.

The manner of use of water under this permit is by nature a temporary use and Permits 51841, 51842, 51843, 51844, 51845, 51846, 51847, 51848, inclusive and 58268 will expire at the termination of this project or on January 1, 2000, whichever occurs first.

Any water not used for mining and milling must be injected back into the groundwater reservoir.

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 diverted from each well and the amount of water used in the mining and milling process and the amount of water injected.

This permit is further issued subject to the agreement between Beatty Water and Sanitation District and Lac Bullfrog Inc., dated May 28, 1993, on file in the State Engineer's Office.

