

AMENDED

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..... **DEC 10 1992**
 Returned to applicant for correction..... **FEB 2 - 1993**
 Corrected application filed..... **FEB 18 1993** Map filed..... **MAR 3 - 1993**

The applicant Lone Tree Mining, Inc.
 P. O. Box 388 of Valmy
Street and No. or P.O. Box No. City or Town
 Nevada 89438
State and Zip Code No. hereby make... application for permission to change the
point of diversion of a portion
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under Permit 57104
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 groundwater seepage to in-pit sump.
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 2.0 second feet.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for dewatering.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for dewatering.
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 NE 1/4 NE 1/4, of Section 11, T.34N., R.42E.,
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.
M.D.B.&M., at a point from which the NE corner of Section 11, T.34N., R.42E.,
M.D.B.&M bears N. 45°11'E. at a distance of 955 feet.
6. The existing permitted point of diversion is located within NE 1/4 NE 1/4, of Section 11, T.34N.,
If point of diversion is not changed, do not answer.
R.42E., M.D.B.&M., at a point from which the SW corner of Section 1, T.34N.,
R.42E., M.D.B.&M bears N. 72°26'59"E. at a distance of 925.90 feet
7. Proposed place of use Same as Item 8.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 27
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.
T.34N., R.42E., M.D.B.&M. and the south half of the NE 1/4, and the north half
of the SE 1/4, Section 29, T.35N., R.43E., M.D.B.&M.
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.) In-pit sump of varying dimensions
State manner in which water is to be diverted, i.e. diversion structure,
depending on need, fitted with Gorman-Rupp flooded suction pump.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$30,000
13. Estimated time required to construct works is approximately 18 hours per sump per
mining level.

14. Estimated time required to complete the application of water to beneficial use..... 2 years.

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

.....
.....
.....
.....

By s/ Gary A. Saunders
P.O. Box 388
Valmy, NV 89438

Compared..... ab/se ab/se/nsr

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 a portion of the waters of an underground source as heretofore granted under Permit 57104 is issued subject to the terms and conditions imposed in said Permit 57104 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. 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 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.

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

Work must be prosecuted with reasonable diligence and be completed on or before..... July 7, 1993

Proof of completion of work shall be filed before..... August 7, 1993

Application of water to beneficial use shall be made on or before..... July 7, 1995

Proof of the application of water to beneficial use shall be filed on or before..... August 7, 1995

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

Completion of work filed..... JUL 20 1993

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 August

A.D. 19 93

[Signature]
State Engineer

port 59320 T 1.7 PVP 11.25.94
59679 T 0.7 6-8-95
port 60296 0.7, 62611 1.1 cert 8/31/99
(O)-1108 (Rev. 6-81)

(PERMIT TERMS CONTINUED)

The total combined diversion rate of Permits 54247, 54759, 54760, 54761, 54762, 54763, 54764, 56406, 56407, 56578, 56579, 56580, 56581, 56582, 56583, 56584, 56585, 56586, 56951, 57103, 57104, 58257-T, 58292-T, 58385, 58550, 58601-T, 58602-T, 58831-T, 58832-T, 58833-T, 58834-T, 59064-T, 59065-T, 59066-T, 59067-T and 59068-T, inclusive, shall not exceed 33,460 gallons per minute or 74.56 cubic feet per second for mining, milling, and dewatering purposes. The total volume of water allowed to be diverted under the above mentioned permits and for the same purposes shall not exceed 53,800 acre-feet annually. The total combined consumptive duty for mining and milling purposes under the above mentioned permits and any changes of these permits shall not exceed 3,144 acre-feet annually.

All water diverted but not used for mining or milling purposes shall be discharged to the Iron Point Relief Canal via the aqueduct completed in June, 1993.

All water diverted shall be measured and reported to the State Engineer on a monthly basis. The report shall include the amount of water diverted from each well, the amount of water used for mining and milling purposes, and the amount discharged to the aqueduct to the Iron Point Relief Canal. This report shall be submitted to the State Engineer within 15 days of the last day of the preceding month.

This permit is issued subject to the "Lone Tree Mining, Inc., Unified Monitoring Plan, March 27, 1993."

The State Engineer will retain the right to require additional monitoring over and above the monitoring plan mentioned, and also will retain the right to seek other disposal options of water discharged to the Iron Point Relief Canal.

The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring plan on a periodic basis, but not less than two times per year.

**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..... DEC 10 1992

Returned to applicant for correction..... FEB 02 1993

Corrected application filed..... FEB 18 1993 Map filed..... MAR 03 1993

The applicant..... Lone Tree Mining, Inc.
 P. O. Box 388..... of..... Valmy
Street and No. or P.O. Box No. City or Town

..... Nevada 89438..... hereby make.... application for permission to change the
State and Zip Code No.
 point of diversion of a portion

..... Permit 57104
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under.....

..... 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..... groundwater seepage to in-pit sump.
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed..... 2.0 second feet.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for..... dewatering.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for..... dewatering.
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..... NE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 11, T.34N., R.42E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M., at a point from which the NE corner of Section 11, T.34N., R.42E.,
distance to a section corner. If on unsurveyed land, it should be stated.

M.D.B.&M bears N. 45⁰ 11' E. at a distance of 955 feet.

6. The existing permitted point of diversion is located within..... NE $\frac{1}{4}$ NE $\frac{1}{4}$, of Section 11, T.34N., R.42E.,
If point of diversion is not changed, do not answer.

M.D.B.&M., at a point from which the SW corner of Section 1, T.34N., R.42E.,

M.D.B.&M bears N. 72⁰ 26' 59" E. at a distance of 925.90 feet

7. Proposed place of use..... Same as Item 8.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use..... Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 27 T.34N.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
R.42E., M.D.B.&M. and the south half of the NE $\frac{1}{4}$, and the north half of the SE $\frac{1}{4}$,
manner of use of irrigation permit, describe acreage to be removed from irrigation.

Section 29, T.35N., R.43E., M.D.B.&M.

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.) In-pit sump of varying dimensions depending
State manner in which water is to be diverted, i.e. diversion structure,

on need, fitted with Gorman-Rupp flooded suction pump.
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works..... \$30,000

13. Estimated time required to construct works..... is approximately 18 hours per sump per mining level.

14. Estimated time required to complete the application of water to beneficial use..... 2 years.

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

.....
.....
.....
.....

By s/Gary A. Saunders
P. O. Box 388
Valmy, NV 89438

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 a portion of the waters of an underground source as heretofore granted under Permit 57104 is issued subject to the terms and conditions imposed in said Permit 57104 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. 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 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.
(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..... 2.0cubic feet per second, but not to exceed 1448
acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... July 7, 1993

Proof of completion of work shall be filed before..... August 7, 1993

Application of water to beneficial use shall be made on or before..... July 7, 1995

Proof of the application of water to beneficial use shall be filed on or before..... August 7, 1995

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

Completion of work filed..... JUL 20 1993

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 28th day of May

A.D. 1993

[Signature]
State Engineer

Abrogated By port. 60457-T 1-1 EXP. 12/8/95
port. 61238-T 0-033 EXP. 7-6-96

(PERMIT TERMS CONTINUED)

The total combined diversion rate of Permits 54247, 54759, 54760, 54761, 54762, 54763, 54764, 56406, 56407, 56951, 57103, 57104, 57676-T, 57695-T, 58257-T, 58292-T, 58385, 58550, 58601-T, 58602-T, 58831-T, 58832-T, 58833-T and 58834-T shall not exceed 20,000 gallons per minute or 44.56 cubic feet per second and the total volume of water diverted for dewatering, mining or other industrial or stockwatering uses shall not exceed 32,260 acre feet per annum. All water diverted that cannot be placed to a beneficial use shall be injected back to the Pumpnickel Valley and/or Clovers Area groundwater system. The existing surface discharge to the Herrin Slough may continue until May 30, 1993, subject to the permitting requirements of other state, federal and local agencies. Injection of excess water, or substitution for other permitted industrial or mining uses, shall be the only means of disposal after that date. This permit does not relieve the operator of the requirements of other state, federal or local agencies.

All water diverted, used in the mining and milling process and discharged to the slough shall be measured continuously and reported on a monthly basis.

A measuring device approved by the State Engineer as to the type and location, shall be installed at the downstream end of the slough just prior to any of the discharged water entering the Humboldt River. This measurement device shall be installed within 30 days from the issuance of this permit. The measurements shall be on a continuous basis and reduced to daily flows.

The monitoring plan revised November 22, 1991, is hereby adopted with one exception, that being the frequency of water level measurements shall be made and reported on a monthly basis for a period of one year after the issuance of this permit. The monitoring plan will be reviewed at the end of this one year period, to determine if any other modifications are necessary.

All data from the water diverted and used, the measurement of water in the slough and the water level measurements shall be submitted to the State Engineer within 15 days of the last day of the preceding month.

The total combined duty of water under Permits 54247, 54759, 54760, 54761, 54762, 54763, 54764, 56406, 56407, 56951, 57103, 57104, 57676-T, 57695-T, 58257-T, 58292-T, 58385, 58550, 58601-T, 58602-T, 58831-T, 58832-T, 58833-T and 58834-T shall not exceed 3,144 acre-feet annually.

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.