

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

Date of filing in State Engineer's Office... FEB 26 1993 New Priority Date: July 10, 2002

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... FEB 26 1993

The applicant... Nevada Goldfields, Inc.

P.O. Box 3070 Hawthorne, of Hawthorne

Nevada 89415, 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.) June, 1984 Nevada

1. The source of the proposed appropriation is... underground Name of stream, lake, spring, underground or other source

2. The amount of water applied for is... 1.0 c.f.s. second-feet One second-foot equals 448.83 gals. per min.

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

3. The water to be used for... mining, milling, and domestic Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

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... SW 1/4 NW 1/4 Sec. 17, T.5N., R.28E., M.D.B.&M., or at a point from which the NW corner of said Sec. 17 bears N 02°

44' 52" W a distance of 2069.35'

6. Place of use... W 1/2 NW 1/4 Sec. 17, T.5N., R.28E., M.D.B.&M. Describe by legal subdivision. If on unsurveyed land, it should be so stated.

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

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.) well, pump and distribution system State manner in which water is to be diverted, i.e. diversion structure, ditches and

flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$25,000
10. Estimated time required to construct works 2 yrs.
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 3 yrs.

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

Water will be used for makeup water in C.I.P. mill circuit, dust control and office water supply. Estimated annual use= 52.5 MGA

By s/Katherine A. Rice
P.O. Box 130
Smith NV 89430

Compared bc/bc cl/bk

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 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 Permit 45301 Certificate 13962, Permits 58574 and 58658 shall not exceed 199.5 acre-feet annually.

(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 1.0 cubic feet per second, but not to exceed 199.5 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 17, 1999
Proof of completion of work shall be filed before April 17, 1999
Application of water to beneficial use shall be filed on or before March 17, 2002
Proof of the application of water to beneficial use shall be filed on or before April 17, 2002
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAY 14 1999

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed

office, this 17th day of March

Cultural map filed

A.D. 1997

Certificate No. Issued

[Signature]
State Engineer

CANCELLED JUL 05 2002 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature] STATE ENGINEER

Can. Rescinded 7/10/2002 (O)-2145 (Rev. 9-89)

Abrogated by: 707367 LO-249 5/21/04
707366 LO

(PERMIT TERMS CONTINUED)

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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.