TEMPORARY

Serial No. 58639 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 MAR 19 1993

Returned to applicant for correction

Corrected application filed Map filed DEC 17 1992 under 58410

The applicant Echo Bay Minerals Company

P. O. Box 1658 (Street and No. or P.O. Box No.) of Battle Mountain (City or Town)

Nevada 89820 (State and Zip Code No.) hereby make s 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 56894 (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 (mine dewatering) (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 7.0 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 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 NE¼ SW¼ of Section 36, T29N, R42E MDM (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.) or at a point from which the Southeast corner of said Section 36 bears, S48° 40' 25" E a distance of 3719.0 feet. Map on file with application 58412.
6. The existing permitted point of diversion is located within SW¼ SE¼ of Section 36, T29N, R42E (If point of diversion is not changed, do not answer.) MDM or at a point from which the Southeast corner of said Section 36 bears, S73° 05' 04" E a distance of 2563.9 feet.
7. Proposed place of use Refer to exhibit "A" attached hereto. Exhibit "A" place (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) of use identical to that filed with application 51710.
8. Existing place of use same as item 7 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 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.
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.) Drilled and cased well, install (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.) submersible pump and electric motor.
12. Estimated cost of works $75,000
13. Estimated time required to construct works 3 months

14. Estimated time required to complete the application of water to beneficial use 1 year

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

Request is for **TEMPORARY** transfer of water right. Upon issuance of permit for well DW45-36, this temporary right would revert to original location.

By s/ Rocky Pray, Agent
P.O. Box 1658
Battle Mtn., NV 89820

Compared ab/ cmg

Protested

.....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:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

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.....

WITHDRAWN BY APPLICANT JUN 2 1 1993

STATE ENGINEER

IN TESTIMONY WHEREOF, I, ..., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this.....day of....., A.D. 19.....

State Engineer

(O)-1108 (Rev. 6-81)

EXHIBIT A

PLACE OF USE

T30N R42E MDM
Sections 26, 27, 34, 35, 36

T30N R43E MDM
Section 30

T29N R42E MDM
Sections 1, 2, 3, 10, 11, 12, 13, 14, S 1/2 15, E 1/2 16, 23, 24, 25, 26, S 1/2 27, S 1/2 28, S 1/2 29, SE 1/4 30, E 1/2 31, 32, 33, 34, 35, 36

T29N R43E MDM
Sections 4, SW 1/4 5, 6, 7, W 1/2 8, 10, S 1/2 14, E 1/2 16, W 1/2 17, 18, 19, 20, 21, 22, W 1/2 23, 24, 25, 26, 27, S 1/2 28, 29, 30, 31, 32, 33, 34, W 1/2; SE 1/4; SE 1/4 NE 1/4 35, 36

T28N R42E MDM
Sections 1, 2, 3, 4, 5, N 1/2 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24

T28N R43E MDM
Sections 1, 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