TEMPORARY

ASSIGNED

Serial No. 58645 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 APR 15 1993 under 58640-T

The applicant FirstMiss Gold Inc.

P.O. Box 220 of Golconda
Street and No. or P.O. Box No. City or Town

Nevada 89414 hereby make s application for permission to change the
State and Zip Code No.

point of diversion, manner of use and place of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit 28759
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 - Getchell well
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.089 second foot
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for mining, milling, domestic purposes.
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 SE¼ SE¼, Section 29, T39N, R42E,
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, or at a point from which the south quarter corner of Section 29 bears S 57° 21' 31" W a distance of 2161.2 feet; water is to be diverted from a pit perimeter well known as PW-8.

6. The existing permitted point of diversion is located within NE¼ NW¼, Section 8, T38N, R43E,
If point of diversion is not changed, do not answer.
M.D.B.&M., or at a point from which the north one-quarter corner of said Section 8 bears N 4° 37' 27" E 724.79 feet.

7. Proposed place of use within Sections 21, 22, 23, 26, 27, 28, 29, 32, 33, 34 in
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
T39N, R42E; and within Sections 3, 4, 9, and 10 in T38N, R42E, M.D.B.&M.

8. Existing place of use portion of NW¼ Section 33, T39N, R42E, M.D.B.&M., portion
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.
of the SW¼ SW¼ and portion of the SE¼ SW¼, Section 28, T39N, R42E, 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.) Drill a well and install a pump, flow meter, and pipelines.
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 $95,000

13. Estimated time required to construct works 2 months

14. Estimated time required to complete the application of water to beneficial use 5 years

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

The estimated consumption of water pumped from the point of diversion is 235.91 million gallons per annum. The total consumption of water from perimeter wells PW-6, PW-7, and PW-8 shall not exceed 707.72 gallons per annum.

By s/ John Barta
P.O. Box 220
Golconda, NV 89414

Compared ab/ se 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 temporary permit to change the point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 28759 is issued subject to the terms and conditions imposed in said Permit 28759 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 temporary 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 10369, Certificate 2757; 10370, Certificate 2758; 28758; 28759; 45730; 45731; 45732; 49815; 51990; 52476; 53015; 53030; 58159-T; 58514-T; 58515-T; 58516-T; 58517-T; 58640-T; 58641-T; 58642-T; 58643-T; 58644-T and 58645-T shall not exceed 799.75 million gallons annually.

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 0.089 cubic feet per second, but not to exceed 20.9 million gallons annually.

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

TEMPORARY

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

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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 25th day of June, A.D. 19 93

R. Michael Turnipseed P.E.
State Engineer

EXPIRED
DATE JUN 24 1994

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

(PERMIT TERMS CONTINUED)

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.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on June 24, 1994 at which time all rights herein granted shall revert to the right being changed by this temporary permit.