

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 NOV 01 1995
 Returned to applicant for correction.....
 Corrected application filed..... Map filed NOV 11 1995

The applicant PASS MINERAL, INC. a Nevada Corporation
2215 Lucerne Circle of Henderson
Street and No. or P.O. Box No. City or Town
Nevada 89014 hereby make application for permission to change the
State and Zip Code No.
Point of Diversion and Place of Use
Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under Permit Number 50129
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 Source
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 2.0 CFS (509.47 ac ft)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining, Ore processing
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Mining, Ore processing
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 Within the Northwest quarter (NW $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section 14, T23S, R63E, MDM, or at a point from which distance to a section corner. If on unsurveyed land, it should be stated. the North quarter (N $\frac{1}{4}$) of said Section 14, T23S, R63E, MDM, bears North 44°41' East a distance of 1888.0
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 Northwest quarter (NW $\frac{1}{4}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section 36, T27S, R63E, MDM, or at a point from which the South quarter corner (S $\frac{1}{4}$) of said Section 36, T27S, R63E, MDM, bears South 45°00'00" East a distance of 2800.20 feet.
If point of diversion is not changed, do not answer.
7. Proposed place of use Northwest quarter (NW $\frac{1}{4}$) of Section 14, T23S, R63E, MDM.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use West half (W $\frac{1}{2}$) of Section 36, T27S, R63E, MDM. All existing rights under Permit Number 50129 to be transferred.
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.) Drill steel cased well, install submersible pump, totalizing meter, distribution system to Mineral processing area.
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 \$20,000.00
13. Estimated time required to construct works One year

Three years

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

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

Water to be used for Ore processing

s/Robert Fulstone AGENT
FULSTONE ENTERPRISES, INC.
LAND SURVEYORS

By 940 S. MARTIN LUTHER KING BLVD.
LAS VEGAS, NEVADA 89106

Compared..... cl/jk jr/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 to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 50129 is issued subject to the terms and conditions imposed in said Permit 50129 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 permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. 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.

(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 83.0 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 1, 1997

Proof of completion of work shall be filed before April 1, 1997

Application of water to beneficial use shall be made on or before March 1, 1998

Proof of the application of water to beneficial use shall be filed on or before April 1, 1998

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 6th day of December

A.D. 19 96

Michael Turnipseed
State Engineer

(PERMIT TERMS CONTINUED)

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

The total combined duty of water under Permits 50131 and 61661 shall not exceed 166.0 million gallons annually.

The issuance of this permit totally abrogates Permit 50129.

Monthly records shall be kept of the amount of water pumped from this well under this permit and the well under Permit 50131 and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.