ASSIGNED

AMENDED

NO. 63312

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 AUG 08 1997

Returned to applicant for correction AUG 28 1997

Corrected application filed SEP 05 1997

Map filed SEP 05 1997

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The applicant International Silica Corporation, hereby make application for permission to change the Place of Use of a portion of water heretofore appropriated under Permit No. 62692

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1. The source of water is an underground source in the Black Mountain Basin

2. The amount of water to be changed 0.56 cfs (250 gpm)

3. The water to be used for mining purposes

4. The water heretofore permitted for mining purposes

5. The water is to be diverted at the following point (No Change) within the NE¼ SE¼ Section 29, Township 20 South, Range 64 East, M.D.B.&M. at a point from which the Southeast corner of said Section 29 bears South 27° 23' East 1,543 feet.

6. The existing permitted point of diversion is located within N/A

7. Proposed place of use within the SW¼ Section 8; all of Section 17; the NW¼ and the N½ NE¼ of Section 20; all within Township 20 South, Range 64 East, M.D.B.&M.

8. Existing place of use within the SE¼ NE¼; the NE¼ SE¼; the SE¼ SE¼; all within Section 29, Township 20 South, Range 64 East, M.D.B.&M.

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 of each year.

11. Description of proposed works Existing wells and pumps, via pipeline to temporary storage pond

12. Estimated cost of works $75,000.00

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: Water is to be used for mining and milling purposes; estimated consumptive use is 400 ac. ft. per year. Water under this permit is to be co-mingled with water under Permit No. 62693.

STEPHEN F. TURNER, AGENT
By s/Stephen F. Turner
1210 Hinson Street
Las Vegas, Nevada 89102

Compared my/bk lw/cms

Protested

63312

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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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 62692 is issued subject to the terms and conditions imposed in said Permit 62692 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.

The total combined duty of water under Permits 62691, 62692, 63312 and 63313 shall not exceed 1,327.275 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.

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

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.56** cubic foot per second, **but not to exceed 405.4 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:
N/A

Proof of completion of work shall be filed before:
N/A

Application of water to beneficial use shall be filed on or before:
October 2, 1999

Proof of the application of water to beneficial use shall be filed on or before:
November 2, 1999

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

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 **April**, A.D. **1998**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By Part 64540 0.165