TEMPORARY

NO. 64513-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 OCT 09 1998

Returned to applicant for correction

Corrected application filed

Map filed OCT 09 1998

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The applicant **Butcher Boy Mines, Inc.**, hereby makes application for permission to change the **Point of diversion of a portion** of water heretofore appropriated under **Permit 57273**

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1. The source of water is **underground**

2. The amount of water to be changed **1.98 cfs**

3. The water to be used for **mining, milling & domestic**

4. The water heretofore permitted for **mining, milling & domestic**

5. The water is to be diverted at the following point **Within the SW¼ of the NW¼ of Section 26 T.21N., R.23E M.D.B&M.**

6. The existing permitted point of diversion is located within **the NW¼ SW¼ of Section 24, T.21N. R.23E, M.D.B&M. or at a point from which the W¼ corner of said Section 24 bears N45° W a distance of 50.00 feet**

7. Proposed place of use **Unchanged**

8. Existing place of use **Section 26 and the NE¼, SW¼, and SE¼ of Section 27, T.21N., R.23E., MDB&M**

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

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

11. Description of proposed works **Well, pump & pipeline to mining**

12. Estimated cost of works **$75,000.00**

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: **Applicant is filing this temporary application in order to be able to drill the well within the current drilling season before winter sets in.**

Butcher Mine inc
By **s/Jack Mongolo Vice president**
1327 Coupler Way
Sparks Nevada 89434

Compared **dl/cms** dl/cms

Protested

64513-T

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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 temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 57273 is issued subject to the terms and conditions imposed in said Permit 57273 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. 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 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 temporary permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

The total combined duty of water under Permits 57273, 63257 and 64513-T shall not exceed 100.0 acre-feet annually.

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

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.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 9, 1999 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(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 **1.98** cubic feet per second, **but not to exceed 99.0 acre-feet 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 filed 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

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 **10th** day of **November**, A.D. **1998**

State Engineer

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