Permit No. 71267

# THE STATE OF NEVADA

## PERMIT TO APPROPRIATE WATER

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| **Name of applicant:** | **JOHN MADDEN HEIZER** |
| **Source:** | **UNDERGROUND** |
| **Basin:** | **LOVELOCK VALLEY-OREANA SUBAREA** |
| **Manner of Use:** | **MINING AND MILLING** |
| **Period of Use:** | **January 1st to December 31st** |
| **Priority Date:** | **06/02/2004** |

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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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance issued under the provisions of NRS 533.371 for a finite period of time. This permit will expire on **December 31, 2012** and all rights herein will revert back to the source. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

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 permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.25 cubic feet per second or 14.0 acre-feet annually**.

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| Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: | **October 29, 2008** |
| Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: | **October 29, 2010** |
| Map in support of proof of beneficial use shall be filed on or before: | **N/A** |

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 29th day of **October**, A.D. **2007**

Tracy Taylor P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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No. 71267

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 02 2004

Returned to applicant for correction

Corrected application filed

Map filed JUN 02 2004

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The applicant **John Madden Heizer** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

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1. The source of the proposed appropriation is **Underground**

2. The amount of water applied for is **0.5** second-feet

   (a) If stored in reservoir give number of acre-feet

3. The water to be used for **Mining & Milling**

4. If use is for:
   (a) Irrigation, state number of acres to be irrigated
   (b) Stockwater, state number and kinds of animals to be watered
   (c) Other use (describe fully under No. 12. "Remarks") **Placer Mining Operation**
   (d) Power:
      (1) Horsepower developed
      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point **NE¼ NE¼ Section 4, T.28N., R.33E., MDM, or at a point from which the NE corner of said Section 4 bears North 13°08' East, 1253 feet**

6. Place of Use **N½, W½ SE¼, W½ NE¼ SE¼, SE¼ SE¼, E½ SE¼ SW¼ Section 9, T.28N., R.33E., MDM**

7. Use will begin about **January 1** and end about **December 31** of each year.

8. Description of proposed works **well, pump and motor, and distribution system**

9. Estimated cost of works **at least $10,000**

10. Estimated time required to construct works **one year**

11. Estimated time required to complete the application of water to beneficial use **10 years**

12. Remarks: **Well is to be used for a proposed placer mining operation. Water will be trucked to the site for washing gravel in a placer mining operation.**

**Darryl M. Harris, Resource Concepts, Inc.**
**By s/Darryl M. Harris**
**340 North Minnesota Street**
**Carson City, Nevada 89703**

Compared cmf/sam

Protested

71267

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