

TEMPORARY **No. 73311T**
**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 04 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 04 2005

The applicant **Dean and Sharon L. Rhoads Trust** hereby makes application for permission to change the **place and manner of use of a portion of water heretofore appropriated under claim # 01257**

1. The source of water is **Taylor Canyon Creek**
2. The amount of water to be changed **0.15 c.f.s. (15.34 AF)**
3. The water to be used for **mining and milling (exploration drilling)**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point same as existing
6. The existing point of diversion is located within **NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, T. 39N., R. 52E., M.D.M., from which the SE corner of said Section 15 bears S.60°51'E., 2,997 feet distance**
7. Proposed place of use **T. 39N., R. 52E.; Sections 1, 2, 3, 10-15, 22-27, 34-36
T. 39N., R. 52 $\frac{1}{2}$ E.; Sections all
T. 39N., R. 53E.; Sections all**
8. Existing place of use **NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, and portions of Sections 10 and 15, T. 39N., R. 28E., M.D.M.,**
9. Use will be from **January 31 to December 31** of each year.
10. Use was permitted from **January 31 to December 31** of each year.
11. Description of proposed works **water will be pumped out of creek using a 3-inch hose and a portable pump.**
12. Estimated cost of works
13. Estimated time required to construct works
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: **Estimated annual consumption 5 million gallons.**

By s/ **William A. Nisbet, Agent**
421 Court Street
Elko, NV 89801

Compared hcm/gkl dl/gkl

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 place of use and manner of use of a portion of the waters of Taylor Canyon Creek heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water V-01257 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to any determination of the waters of Taylor Canyon Creek that may be made under adjudication proceedings under NRS 533.090 through 533.320.

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

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

This temporary permit is issued with the understanding that no downstream water users claiming an earlier priority date for irrigation and/or stockwatering purposes shall be adversely affected by this temporary use of water for exploration drilling purposes.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **January 30, 2007** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.15 cubic feet per second, or 15.34 acre-feet annually.

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

N/A - Temporary

Proof of completion of work shall be filed on or before:

N/A - Temporary

Water must be placed to beneficial use on or before:

N/A - Temporary

Proof of the application of water to beneficial use shall be filed on or before:

N/A - Temporary

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

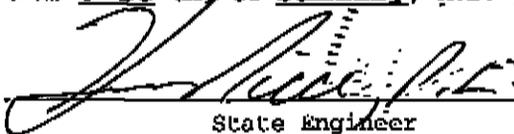
N/A - Temporary

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office;

this 31st day of January, A.D. 2006


State Engineer

State Engineer