

TEMPORARY No. 74033T  
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 MAR 22 2006

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed JUN 24 2004 under 71246T

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The applicant **The Plum Mining Co. LLC** hereby make application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **P 46828 C. 11946**

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1. The source of water is **underground**
2. The amount of water to be changed **0.03**
3. The water to be used for **Mining and Milling**
4. The water heretofore permitted for **Mining and Milling**
5. The water is to be diverted at the following point **SE ¼ SW ¼ Sec 6, T16N R21E MDB&M or at a point from which the SW corner of said Sec. 6 bears S 89°14'27 Sec. W; distance 1368.7 feet Gash Well Site**
6. The existing permitted point of diversion is located within **16N 21E under 54503 the portion on the tunnel on the Georgia Patented Mining Claim in the SE¼ NE¼, Sec. 12, T.16N., R.20E, or to point from when the SE corner of said Sec. 12 bears S. 16°56'E., 2,721 to the MDB&M**
7. Proposed place of use **SE¼ SW¼ Section 6 T 16N R 21E and SW¼ SE¼, E½ of SE¼ Sec. 6 W½ of SW¼, the SE¼ of the SW¼ of Sec. 5 T16N R21E E½ of the NW¼ and W½ of the NE¼ of Sec. 8 16N R21E MDB&M**
8. Existing place of use **within the SE¼ NW¼ SE¼ Sec 18 and S½ NE¼ NW¼ SE¼ Sec. 18, T16N., R21E, as shown on accompanying map MDB&M**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Drilled well in place**
12. Estimated cost of works **Completed in 2004**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **30 days**

15. Remarks: Annual consumptive use estimated 7.0 mga Previously issued under 71246-T expired by oversight

By s/Scott Jolcover  
Box 1118  
Virginia City, NV 89440

Compared mt/ag lt/gkl

Protested \_\_\_\_\_

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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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 46828, Certificate 11946, is issued subject to the terms and conditions imposed in said Permit 46828, Certificate 11946, 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 temporary 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 Permit 46828, Certificate 11946, and Temporary Permits 74032T and 74033T shall not exceed 36.92 acre-feet annually.

This temporary 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.

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

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 temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on June 5, 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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.03 cubic feet per second, but not to exceed 21.48 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:

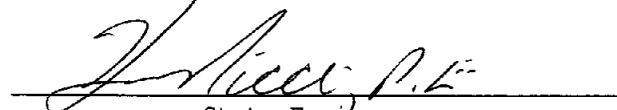
N/A - Temporary

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 6th day of June, A.D. 2006

  
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State Engineer