

**THE STATE OF NEVADA****PERMIT TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Name of applicant: NEVADA COPPER, INC
Source: UNDERGROUND
Basin: MASON VALLEY
Manner of Use: MINING AND MILLING
Period of Use: January 1st to December 31st
Priority Date: 05/04/1976

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 point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 30218 Certificate 9432 is issued subject to the terms and conditions imposed in said Permit 30218 Certificate 9432 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

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

The total combined consumptive duty of water under Permits 75675 and 75676 shall not exceed 18.31 acre-feet annually.

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

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

This permit is approved for the entire 20.92 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 18.31 acre-feet, can be diverted annually. Additional diversion up to the total 20.92 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 18.31 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this 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 0.113 cubic feet per second or 18.31 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

October 21, 2008

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

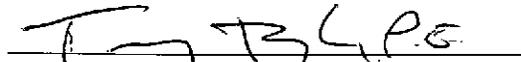
October 21, 2008

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 **21st** day of **October**, A.D. **2008**



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

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

THIS SPACE FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office	<u>MAY 08 2007</u>
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>JUL. 15, 1962 under 20387</u>

The applicant Pumpkin Copper Inc.
290 Gentry Way, Suite 7 of Reno
Street and No. or P.O. Box No. City or Town
NV 89502, hereby makes application for permission to change the
State and Zip Code No.

Point of Diversion, Place of Use and Manner of Use of a portion
of water heretofore appropriated under, Permit 30218, Certificate 9432
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree
and identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.113 cfs, 20.92 acre-feet annually
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining, Milling and Domestic
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.

4. The water heretofore used for Irrigation
If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE 1/4 NW 1/4 Sec. 3, T.12N., R.26E., M.D.B.&M., or at a
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
point from which the NW corner of said Sec. 3 bears N. 32° 03' 42" W., a distance of 2,836.51 feet.

6. The existing point of diversion is located within NW 1/4 SE 1/4 Sec. 34, T.14N., R.26E., M.D.B.&M., or at a
If point of diversion is not changed, do not answer.
point from which the SE corner of said Sec. 34 bears S. 55° 35' 22" E., a distance of 2,422.69 feet.

108-LY

7. Proposed place of use **See Attachment**

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use **SW¼ SE¼ Sec. 34, T.14N., R.26E., M.D.B.&M. (5.23 acres to be stripped)**

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation

permit, describe acreage to be removed from irrigation.

9. Use will be from **January 1** to **December 31** of each year.
Month and Day Month and Day

10. Use permitted from **January 1** to **December 31** of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **Drilled well, submersible pump and earthen storage**

State manner in which water is to be diverted, i.e. diversion structure, ditches,

Basin with surface pump system for truck filling and transport to use.

pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works **\$10,000 to equip well for pumping**

13. Estimated time required to construct works **Existing 12" well drilled to 462' w/ 462' 8" casing (see**

If well completed, describe well.

Log. No. 6327). Well is not currently equipped with required submersible pump.

14. Estimated time required to complete the application of water to beneficial use **10 Years**

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Use the map filed under Permit 20387 to support the Proposed Place of Use and Proposed Point of Diversion. Use the map filed under Permit 30218 to support the Existing Point of Diversion and Existing Place of Use. Use the map under 67599 to describe the 5.23 acres to be stripped.

Brian A. Randall, Resource Concepts, Inc.

By *Brian A. Randall*
Type or print name clearly
Signature, applicant or agent

340 North Minnesota Street

Street and No., or P.O. Box No.

Carson City, Nevada 89703

City, State, Zip Code No.

STATE ENGINEERS OFFICE

2007/MAY-8-PM 3:39

RECEIVED

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment to Application to Change Permit 30218, Certificate 9432:**Item 7, Proposed Place of Use:**

NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, portion of W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 1; all Sec. 2 and 3; E $\frac{1}{2}$, portion E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 4; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, portion E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 9; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, portion SE $\frac{1}{4}$ Sec. 10; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, portion S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, portion NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, T.12N., R.26E., M.D.B.&M.; S $\frac{1}{2}$ S $\frac{1}{2}$ Sec. 34, S $\frac{1}{2}$ S $\frac{1}{2}$ Sec. 35; portion S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, T.13N., R.26E., M.D.B.&M.