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:	**MARIGOLD MINING COMPANY**
Source:	**UNDERGROUND**
Basin:	**CLOVERS AREA**
Manner of Use:	**MINING AND MILLING**
Period of Use:	**January 1st to December 31st**
Priority Date:	**03/02/1988**

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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 to change the place of use of the waters of an underground source as heretofore granted under Permit 76457, Certificate 16079, is issued subject to the terms and conditions imposed in said Permit 76457, Certificate 16079 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 duty of water under Permits 76455 through 76460, inclusive, shall not exceed 767.225 acre-feet annually.

The total combined duty of water under Permits 76455 through 76462, inclusive, shall not exceed 2543.01 acre-feet annually.

This 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 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.

(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 0.255 cubic feet per second or 62.308 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **July 28, 2009**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **July 28, 2013**
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 28th day of **July**, A.D. **2008**

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Serial No. 76457

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 NOV 0 6 2007

Returned to applicant for correction

Corrected application filed Map filed MAR. 02, 1988 under 51884

The applicant **MARIGOLD MINING COMPANY**

P.O. BOX 160 of **VALMY**

Street and No. or P.O. Box No. City or Town

NEVADA, 89438, hereby makes application for permission to change the

State and Zip Code No.

THE PLACE OF USE

of water heretofore appropriated under, **PERMIT NO. 51886 (CERTIFICATE NO. 16079)**

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 **0.255 C.F.S., not to exceed 20.303 M.G.A.**

   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **MINING & MILLING**

   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 **MINING & MILLING**

   If for stock state number and kind of animals.

5. The water is to be diverted at the following point **SW1/4 SW1/4 Section 4, T33N, R43E, M.D.B.&M., or at a point**

   Describe as being within a 40-acre subdivision of public survey and by course

   from which the SW corner of said Section 4, bears S 18°28'26" W, a distance of 1,142.88 feet situated

   and distance to a section corner. If on unsurveyed land, it should be stated.

   in Humboldt County, State of Nevada. (Well #3)

   Refer to supporting map filed under Permit No. 51884.

6. The existing point of diversion is located within

   If point of diversion is not changed, do not answer.

64-HW

7. Proposed place of use **SEE EXHIBIT "A"**

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

REFER TO SUPPORTING MAP FILED UNDER APPLICATION NO. 76425.

8. Existing place of use **SEE EXHIBIT "B"**

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.

REFER TO SUPPORTING MAP FILED UNDER PERMIT NO. 51884.

9. Use will be from **JAN. 1** (Month and Day) to **DEC. 31** (Month and Day) of each year.

10. Use permitted from **JAN. 1** (Month and Day) to **DEC. 31** (Month and Day) of each year.

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.) **Existing well with distribution system to the mining operation.**

State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works **COMPLETED**

13. Estimated time required to construct works **COMPLETED**

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use **FIVE (5) YEARS**

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

The total combined duty of water under Permit No. 51886 (Certificate No. 16079) and any certificates issued under Permits 51463, 51884, 58020, 58021, 58022, 58023 and 58024 shall not exceed 828.64 million gallons annually.

SUZAN L. FERGUSON - AGENT

By Suzan L. Ferguson

Signature, applicant or agent

5405 Mae Anne Avenue

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

Reno, NV 89523

City, State, Zip Code No.

STATE ENGINEER'S OFFICE
2007 NOV -6 AM 10: 40

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE MUST ACCOMPANY APPLICATION

76457

EXHIBIT "A"

MARIGOLD MINING COMPANY
APPLICATIONS TO CHANGE THE PLACE OF USE

ITEM NO. 7 -PLACE OF USE

All of Section 1	T32N, R42E, M.D.M.
All of Section 5 and the W1/2 W1/2, NE1/4 NW1/4, NE1/4, N1/2 SE1/4 & the SE1/4 SE1/4 of Section 6	T32N, R43E, M.D.M.
All of Sections 1, 12, 13, 24, 25 & 36	T33N, R42E, M.D.M.
All of Sections 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 29, 30, 31 & 32	T33N, R43E, M.D.M.
All of Sections11, 13, 14, 24, 25, 36 and the SE1/4 of Section 12	T34N, R42E, M.D.M.
All of Sections 17, 19, 28, 29, 30, 31, 32, 33, the W1/2, W1/2 SE1/4, SE1/4 SE1/4 of Section 18 , and the W1/2, W1/2 SE1/4, SE1/4 SE1/4 of Section 20	T34N, R43E, M.D.M.

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EXHIBIT "B"

MARIGOLD MINING COMPANY
APPLICATIONS TO CHANGE THE PLACE OF USE

ITEM NO. 8 – EXISTING PLACE OF USE

All of Section 11; SE1/4 Section 12; and all of Sections 13, 14, 24, 25 and 36, T34N, R42E, M.D.B.&M.

All of Sections 1, 12, 13, 24, 25 and 36, T33N, R42E, M.D.B.&M.

All of Section 1, T32N, R42E, M.D.B.&M.

All of Section 17; W1/2, W1/2 SE1/4, SE1/4 SE1/4, Section 18; Section 19; W1/2, W1/2 SE1/4, SE1/4 SE1/4, Section 20; and all of Sections 28, 29, 30, 31, 32 and 33, T34N, R43E, M.D.B.&M.

All of Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 29, 30, 31 and 32, T33N, R43E, M.D.B.&M.

Section 5; W1/2 W1/2, NE1/4 NW1/4, NE1/4, N1/2 SE1/4, SE1/4 SE1/4, Section 6, T32N, R43E, M.D.B.&M.

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