



## 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: M-I L.L.C.  
Source: UNDERGROUND  
Basin: CARICO LAKE VALLEY  
Manner of Use: MINING AND MILLING  
Period of Use: January 1st to December 31st  
Priority Date: 08/24/1978

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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 point of diversion of the waters of an underground source as heretofore granted under Permit 64262 is issued subject to the terms and conditions imposed in said Permit 64262 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.

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 total combined duty of water under Permit 17654, Certificate 5250; Permit 26872, Certificate 8431; Permit 29694, Certificate 9087; Permit 35814, Certificate 10284; Permits 64260, 64261 and 76671 shall not exceed 1076.11 acre-feet annually.

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.

(Continued on Page 2)

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 0.194 cubic feet per second or 26.83 acre-feet annually.**

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

December 26, 2009

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

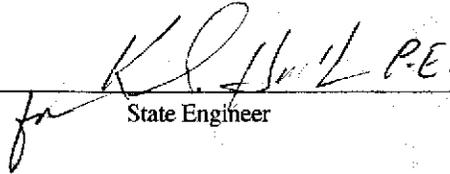
December 26, 2010

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 26th day of **December**, A.D. **2008**

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

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**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 JAN 28 2008

Returned to applicant for correction JAN 31 2008

Corrected application filed \_\_\_\_\_ Map filed FEB 11 2008

The applicant M-I L.L.C.

P.O. Box 370 of Battle Mountain  
Street Address or P.O. Box City or Town

Nevada 89820, hereby make(s) application for permission to change the  
State and Zip Code

- Point of diversion       Place of use       Manner of use       of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit No. 64262

1. The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.194 C.F.S.  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining  
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  
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)  
NE1/4 of NE1/4, Section 26, T28N, R45E, M.D.B. & M. (unsurveyed), or at a point from which the SE Corner of Section 36, T28N, R45E, M.D.B. & M. bears S28deg. 58min. 16sec. E. a distance of 11184'.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
NW1/4 of NW1/4, Section 25, T28N, R45E, M.D.B. & M., or at a point from which the SE Corner of Section 36, T28N, R45E, M.D.B. & M. bears S27deg. 01min. 14 sec. E. a distance of 11394.0 feet (Well B or Well #3).

SS-LA

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Section 25; E1/2 of Section 26; NE1/4 of Section 35; N1/2 of Section 36, T28N, R45E, M.D.B.&M. Lots 1,2,3,4, and the SE1/4 of SW1/4 of Section 30; Lots 1,2, and E1/2 of NW1/4 of Section 31 T28N, R46E, M.D.B.&M.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

Section 25; E1/2 of Section 26; NE1/4 of Section 35; N1/2 of Section 36, T28N, R45E, M.D.B.&M. Lots 1,2,3,4, and the SE1/4 of SW1/4 of Section 30; Lots 1,2, and E1/2 of NW1/4 of Section 31 T28N, R46E, M.D.B.&M.

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

10. Existing use permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Water is developed in the well, thence conveyed by a pipeline.

12. Estimated cost of works \$18,500

13. Estimated time required to construct works A well (North Well) drilled to 200' depth and cased to 190'.  
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Two years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  
(Failure to provide a detailed description may cause a delay in processing.)

The water is developed in the well, thence conveyed by a pipeline that runs approximately 2620 feet to a reservoir located in the NE1/4 Section 26, T28N, R45E, M.D.B.&M. were it is used for mining purposes.

16. Miscellaneous remarks:

775 635-5135  
Phone No.

spluemer@miswaco.com  
E-mail

By STEPHEN PLUEMER  
Print or type name clearly

*Stephen Pluemer*  
Signature, agent name, agent

M-I L.L.C.  
Company Name

P.O Box 370  
Street Address or P.O. Box

Battle Mountain, Nevada 89820  
City, State, Zip Code

**APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT**

**\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**

2008 JUN 20 11:12:40