



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: RODEO CREEK GOLD, INC.
Source: UNDERGROUND
Basin: WINNEMUCCA SEGMENT
Manner of Use: COMMERCIAL
Period of Use: January 1st to December 31st
Priority Date: 03/03/1994

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 59794 is issued subject to the terms and conditions imposed in said Permit 59794 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.

The permittee shall keep monthly records of the amount of water pumped from this well and the records must be 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(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 0.112 cubic feet per second or 6.14 acre-feet annually.**

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

January 21, 2011

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

January 21, 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 21st day of January, A.D. 2010

K. O. Hunt P.E.
for 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 JUN 1 1 2008

Returned to applicant for correction JUN 1 8 2008

Corrected application filed JUN 2 3 2008 Map filed JUN 1 1 2008 under 77127

The applicant Rodeo Creek Gold, Inc

4000 West Winnemucca Blvd. of Winnemucca

Street Address or P.O. Box City or Town

Nevada, 89445, 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 59794

1. The source of water is underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed .112 cfs
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for commercial use
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 commercial use
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.)
within Lot 3 of Section 1, T.35N., R.37E., M.D.B.&M., or at a point from which the west 1/4 corner of said Section 1 bears S47°12'45"W 2822.58 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
within Lot 3 of Section 1, T.35N., R.37E., M.D.B.&M., or at a point from which the west 1/4 corner of said Section 1 bears S44°51'08"W 2573.00 feet.

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

unchanged

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.)

5.16 acres lying within the Lot 3 of Section 1, T.35N., R.37E., M.D.B.&M. being more particularly described as Parcel 1 of Parcel Map File No. 263241 prepared for Joseph Gene & Lois C. Baum, filed in the office of the Humboldt County Recorder on October 22, 1986.

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

10. Existing use permitted from January 1st to December 31st 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.)

12. Estimated cost of works \$15000.00±

13. Estimated time required to construct works 1 month, well is complete see well log under permit 59794
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 3 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 well is drilled, pump, motor, and totalizing water meter are installed and the water distribution system is complete. Annual consumptive use will remain 2 million gallons a year.

16. Miscellaneous remarks:

Applicant discovered that the former owners of this permit drilled the well in the wrong place. This application is being filed to correct the point of diversion.

775-623-4414

Phone No.

dms@winnemucca.net

E-mail

By John h. Milton III

Print or type name clearly

Signature, applicant or agent

Desert Mountain Surveying

Company Name

146 West Second Street

Street Address or P.O. Box

Winnemucca, Nevada, 89445

City, State, Zip Code

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

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

RECEIVED
2008 JUN 23 PM 1:41
STATE ENGINEERS OFFICE