



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: PLUM MINING COMPANY, LLC
Source: UNDERGROUND
Basin: DAYTON VALLEY
Manner of Use: MINING AND MILLING
Period of Use: January 1st to December 31st
Priority Date: 09/28/1978

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 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.

Monthly records shall be kept of the amount of water pumped from this well and any other wells associated with this project 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.

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 0.011 cubic feet per second or 6.0 acre-feet annually.

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

September 3, 2010

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

September 3, 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 3rd day of September, A.D. 2009

Tracy Taylor, P.E.
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 DEC 11 2008
Returned to applicant for correction _____
Corrected application filed _____ Map filed JUN 24 2004 under **7 1 2 4 6 T**

The applicant The Plum Mining Company, LLC

P.O. Box 1118 of Virginia City
Street Address or P.O. Box City or Town
Nevada, 89440, 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.)

46828, CERTIFICATE 11946

*E-MAIL
12/15/08*

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

2. The amount of water to be changed 0.011 cfs not to exceed 6 acre feet per year
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 (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.)
SE 1/4 SW1/4 Section 6 Township 16 north, Range 21 East MDB&M or at a point from which the SW Corner of said Section 6 bears South 89 degrees 14' 27" Sec. West; distance of 1368.7 feet Gash well site.
bears

SNC

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
In the SE 1/4, NE 1/4 Section 12, T16N, R20E, or to point from ^{MDB&M} ~~which~~ the SE corner of said Sec. 12 bears South 16 degrees 56' East, 2721 feet ^{to the} ~~to the~~ MDB&M.

SNC

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
within SE1/4 SW1/4 of section 6, T16N, R21E MDB&M, Storey County, Nevada. APN #64-331-15 and SW 1/4 SE 1/4, E 1/2 of SE 1/4 Sec. 6, W 1/2 of SW 1/4, the SE 1/4 of the SW 1/4 of Sec. 5 T16N R21E, E1/2 of the NW 1/4 and W1/2 of the NE 1/4 of Sec. 8 T16N R21E MDB&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.)
SE 1/4, NW 1/4, SE 1/4 Sec 18 and S1/2, NE 1/4, NW 1/4, SE 1/4 Sec. 18, T16N, R21E. See map 46828 AOF *5/2*

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.)

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 Beneficial use achieved

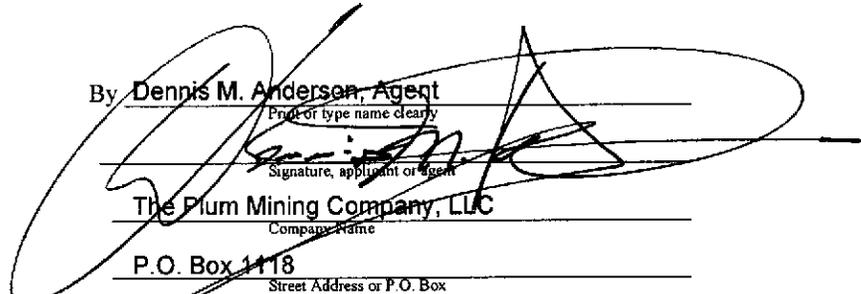
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary);
(Failure to provide a detailed description may cause a delay in processing.)
Annual consumptive use estimated at 1,954,973 gallons.

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2008 DEC 11 PM 3:28
STATE ENGINEERS OFFICE

16. Miscellaneous remarks:

775-847-5272
Phone No.

arai01@sbcglobal.net
E-mail

By Dennis M. Anderson, Agent
Print or type name clearly

Signature, applicant or agent
The Plum Mining Company, LLC
Company Name
P.O. Box 1118
Street Address or P.O. Box
Virginia City, NV 89440
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION