

MINING AND MILLING

INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR AN EXTENSION OF TIME TO PREVENT A FORFEITURE FOR MINING AND MILLING

This application is a sworn affidavit and must be signed by the person filling out this application and include his/her address and phone number in the spaces provided.

- > Each application must appear with an original signature of the permittee or agent.
- > The application must be properly dated and notarized.
- > A separate application for extension of time is required for each permit.
- > Fees paid by check must be made out to the "Nevada Division of Water Resources".

The application for extension of time must be properly completed, signed, and notarized. The original document and associated filing fees must be received by NDWR on or before the due date as set forth in the terms of the permit. Please mail this form and associated filing fees to the Nevada Division of Water Resources at 901 S. Stewart Street, Suite 2002, Carson City, Nevada 89701.

1. Print the name of the person signing the application and check the appropriate box for the signer's authority: Permittee or Agent.
2. Enter the permit number, certificate number, claim number, and the priority date of the permit. This information can also be found on the NDWR website at <http://water.nv.gov>.
3. Enter the owner(s) of record as listed by the Nevada Division of Water Resources (NDWR), the Office of the State Engineer. This information can be found on the NDWR website.
 - a. Check the appropriate box whether the applicant is the current owner of the water right.
 - b. If not the current owner, indicate when applicant became the owner.
 - c. If not the current owner, indicate if a Report of Conveyance has been submitted to NDWR to update ownership of the water right.
4. If this permit has multiple owners, check "Yes" then proceed to Question (a). If the permit has a single owner, check "No" then proceed to Question 5.
 - a. If the water right has multiple owners, check whether this submission is on behalf of all owners.
 - b. If not submitting the Extension of Time to Prevent Forfeiture on behalf of all owners, list the names of the owners for whom this extension is being submitted.
5. If the certificate or claim is under a mine spacing order, check "Yes"; if not, check "No". If Yes, give order number.
6. If a monitoring plan is required to be submitted to the State Engineer, check "Yes" if it has been submitted; check "No" if it has not been submitted.
7. Give the month and year the last known time the water was used (put to beneficial use).
8. Describe by number of years and/or months the anticipated time before use will resume.
 - a. The period of time requested must not exceed one year except in areas where withdrawals of groundwater consistently exceed the perennial yield of the basin or that has been designated as a critical management area by the State Engineer.

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9. Explain in detail the reason for non-use.

NRS 534.090(2) The State Engineer may, upon the request of the holder of any right described in subsection 1, extend the time necessary to work a forfeiture under that subsection if the request is made before the expiration of the time necessary to work a forfeiture. Except as otherwise provided in subsection 3, the State Engineer may grant, upon request and for good cause shown, any number of extensions, but a single extension must not exceed 1 year. In determining whether to grant or deny a request, the State Engineer shall, among other reasons, consider:

(a) Whether the holder has shown good cause for the holder's failure to use all or any part of the water beneficially for the purpose for which the holder's right is acquired or claimed;

(b) The unavailability of water to put to a beneficial use which is beyond the control of the holder;

(c) Any economic conditions or natural disasters which made the holder unable to put the water to that use;

(d) Whether the water right is located in a basin within a county under a declaration of drought by the Governor, the United States Secretary of Agriculture or the President of the United States;

(e) Whether the holder has demonstrated efficient ways of using the water for agricultural purposes, such as center-pivot irrigation;

(f) Whether the holder has demonstrated efforts to conserve water which have resulted in a reduction in water consumption; and

(g) Whether the water right is located in a basin that has been designated as a critical management area by the State Engineer pursuant to subsection 7 of NRS 534.110 or where withdrawals of the groundwater consistently exceed the perennial yield of the basin.

10. Describe in detail the progress made during the past year as compared to previous years to resume full beneficial use. You may attach pictures or any other evidence towards the progress.

Application for Extension of Time to Prevent Forfeiture on the next page

MINING AND MILLING

BEFORE THE STATE ENGINEER OF THE STATE OF NEVADA

APPLICATION FOR EXTENSION OF TIME TO PREVENT A FORFEITURE FOR MINING AND MILLING

1. This application is respectfully submitted by _____, the Permittee Agent
Name of person signing this form

who after being first duly sworn and answering to the best of his/her knowledge the following questions in compliance with the requirements as set forth in the Certificate or Claim:

2. In the matter of Permit No.: _____ Certificate No.: _____ Claim No.: _____
Priority Date: _____

3. NDWR'S Owner(s) of Record on file in the Office of the State Engineer:

a. Are you representing the current owner(s) of record of this permit? Yes No

b. If no, when did the owner(s) of record change? Month and year: _____

c. Has a Report of Conveyance been submitted on this permit/claim? Yes No

4. Does this Certificate or Claim have multiple owners? Yes No

a. If "Yes" on Question 4 is checked, is this request for an extension of time to prevent forfeiture submitted on behalf of all owners? Yes No

b. If "No" on Question 4a is checked, on whose behalf is this extension being filed?

5. Is this mine under a well spacing order from the State Engineer's office? Yes No Order No. _____

6. If monitoring plan is required, has it been submitted to the SE's office? Yes No

7. Give date when the last full beneficial use occurred: _____

8. How much time is anticipated before full beneficial use will resume? _____

a. The permittee requests an extension of time for _____ within which to comply with the Certificate or Claim.

**\$120 FILING FEE MUST ACCOMPANY THIS APPLICATION FOR ANY SINGLE YEAR EXTENSION OF TIME.
AN APPLICATION MUST BE FILED FOR EACH SEPARATE CERTIFICATE OR CLAIM.**

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9. Explain in detail the reason for non-use: (Attach exhibit if necessary.)

10. Describe progress made during the past year as compared to previous years to resume beneficial use: (Attach exhibit if necessary)

Pursuant to NRS 53.045, I hereby certify, under penalty of perjury of the laws of the State of Nevada, that the foregoing is true and correct.

Signed _____
Permittee or Agent

Address _____
Street Address or PO Box

City, State, ZIP Code

Phone _____

E-mail _____

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