AMENDED

№ 31034

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 25 1977

Returned to applicant for correction FEB 15 1977

Corrected application filed MAR 4 1977

Map filed MAR 4 1977 under 31033

The applicant COMSTOCK ENTERPRISES, INC.

P.O. Box 718 (Street and No. or P.O. Box No.), of Carson City (City or Town),

Nevada 89701 (State and Zip Code No.), hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

State of Nevada 1969

1. The source of the proposed appropriation is Underground (Name of stream, lake or other source.)

2. The amount of water applied for is 3.0 second-feet (One second-foot equals 448.83 gals. per min.)

   (a) If stored in reservoir give number of acre-feet ..... acre-feet

3. The water to be used for Quasi-Municipal and domestic (Irrigation, power, mining, manufacturing, domestic, or other use.)

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated)

   (b) Stockwater (state number and kinds of animals to be watered)

   (c) Other use (describe fully under "No. 12. Remarks")

   (d) Power:

      (1) Horsepower developed

      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: in the NW¼ SW¼ section 20, T. 16 N., R. 21 E., M.D.B.&M., from which the southwest corner of said section 20 bears S. 0° 28'00" W 1923.00 feet.
   (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

6. Place of use SW¼ section 24; NE¼, E½ SE¼, section 25; NE¼ NE¼, S½ NE¼, N½ SE¼ section 36; T. 16 N., R. 20 E.; All of section 19; SW¼ section 20; E½ NE¼, S½, S½ SW¼NW¼ section 30; W½, NW¼ NE¼, SW¼ SE¼ section 29; all of section 31; T. 16 N., R. 21 E., M.D.B.&M.
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about January 1st. (Day and Month) and end about December 31st (Day and Month), of each year.

8. 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.) Well, pump, pipelines and tanks.

   (State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

9. Estimated cost of works $10,000.00

10. Estimated time required to construct works 3 years

11. Estimated time required to complete the application to beneficial use 5 years.

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

200 single family units and various commercial businesses.

The water to be comingled with the water now serving the area.

Applicant Comstock Enterprises, Inc.

By s/Julius Bunkowski
P.O. Box 718
Carson City, Nevada 89701

Compared dc/ga dc/ga

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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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 total combined duty of water under this permit and Permits 31033, 29854, 27204, 27202, 27199, 26755, 26189, 26008, 25484, 25483, 25454, 24472, 24388 and 24387 shall not exceed 730.0 million gallons annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 707.7 million gallons annually.

Actual construction work shall begin on or before January 11, 1978

Proof of commencement of work shall be filed before February 11, 1978

Work must be prosecuted with reasonable diligence and be completed on or before January 11, 1978

Proof of completion of work shall be filed before February 11, 1978

Application of water to beneficial use shall be made on or before January 11, 1978

Proof of the application of water to beneficial use shall be filed on or before February 11, 1978

Map in support of proof of beneficial use shall be filed on or before February 11, 1978

Commencement of work filed JUL 10 1978
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of August, A.D. 19 77

State Engineer

CANCELLED NOV 27 1979 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

218 (Rev.)

Abrogated By 31748 port.

(10 cfs)