Permit No. 41987S01

SECONDARY PERMIT

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:	**TOWN OF TONOPAH** **TONOPAH PUBLIC UTILITIES**
Source:	**STORAGE**
Basin:	**BIG SMOKY VALLEY-TONOPAH FLAT**
Manner of Use:	**CONSTRUCTION**
Period of Use:	**JANUARY 1ST THROUGH DECEMBER 31ST**
Priority Date:	**08/08/1980**

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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 secondary permit is issued subject to the terms and conditions under primary Permit 41987. The granting of this secondary permit is not intended in any way to waive or affect authority or requirements of water quality control agencies or regulations. This permit is further issued subject to the provisions of NRS 533.440 and the State retains the right to regulate the use of the water herein granted at any and all times. This secondary permit is issued subject to existing rights. A totalizing meter must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of effluent diverted to beneficial use.

This secondary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this secondary 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 0.7 cubic feet per second or 37 acre-feet annually.**

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

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **August 30 2017**

Map in support of proof of beneficial use shall be filed on or before: **N/A**

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of **August, 2012**

for D.L. King, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

AMENDED

Application No. 41987 S01

SECONDARY

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

THIS SPACE FOR OFFICE USE ONLY

Date of Filing in State Engineer's Office JUN 11 2012

Returned to applicant for correction JUN 15 2012

Corrected Application filed JUN 25 2012 Map filed AUG 08 1980 under 41987

The applicant Town of Tonopah/Tonopah Public Utilities (TPU)

P.O. Box 151 (Street Address or P.O. Box) of Tonopah (City or Town)

Nevada 89049 (State and ZIP Code) hereby make(s) 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.)

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1. The source of water is effluent from the TPU's existing wastewater treatment ponds.
   (Name of the stream, lake, underground, spring or other sources.)
2. The amount of water applied for is 0.7 second feet
   (One second foot equals 448.83 gallons per minute.)
   (a) If stored in a reservoir give the number of acre-feet n/a
3. The water is to be used for reclaimed water reuse for dust control
   (Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.)
4. If use is for:
   (a) Irrigation, state number of acres to be irrigated
   (b) Stockwater, state number and kind of animals
   (c) Other use (describe fully in No. 12) road construction and dust control
   (d) Power:
      (1) Horsepower developed 7.5 hp
      (2) Point of return of water to stream n/a

Revised 07/09

5. The water is to be diverted from its source 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 so stated.)

SE¼ NW¼ Section 34, T.3N., R. 42E., M.D.B.&M., or at a point from which the SW corner of said Section 34, bears S23°6'38"W a distance of 4,115.82 feet.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

All of Hydrographic Basins 137A (Big Smokey Valley-Tonopah Flat), 142 (Alkalai Spring Valley (Esmeralda)), and 143 (Clayton Valley) and 141 (Ralston Valley), as designated by the State Engineer.

7. Use will begin about January 1st (Month and Day) and end about December 31st (Month and Day) 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.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with a pump and motor, etc.)

Wastewater Treatment Facility - Effluent Pipeline - Reclaimed Water Treatment Facility and Distribution Facilities.

9. Estimated cost of works: $1.3 million for Reclaimed Water Treatment and Distribution Facilities.

10. Estimated time required to construct works: September 2012 through January 2013.
(If the well is complete, describe works.)

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

12. 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.)

Dust Control: Estimated to use up to 33,000 gpd to be piped from Tonopah Wastewater Treatment ponds through the Reclaimed Water Treatment FAcility to the Truck Stand Pipe at which point in time users would fill their trucks which would be required to be properly placarded indicating that water is reclaimed. Reclaimed Treatment plans approved by NDEP Clean Water and reclaimed project funded through State Revolving Loan Fund Program.

James Eason
Type or print name clearly

James Eason
Signature, applicant or agent

Town of Tonopah/Tonopah Public Utilities
Company Name

P.O. Box 151
Street Address or PO Box

Tonopah, NV 89049
City, State, ZIP Code

tpu@frontiernet.net
E-mail Address

775-482-6643
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

RECEIVED
2012 JUN 25 AM 10:52
STATE ENGINEERS OFFICE

Revised 07/09 $300 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION