

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

Date of filing in State Engineer's Office FEB 12 1981

Returned to applicant for correction MAR 18 1981

Corrected application filed APR 29 1981 Map filed APR 29 1981

The applicant Comstock Enterprises, Inc.

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

Nevada 89701 hereby make application for permission to change the
State and Zip Code No.

Point of diversion and place of use on a portion.

of water heretofore appropriated under 34748 (Permit)

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

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

2. The amount of water to be changed 0.5 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-municipal and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore used for Quasi-municipal and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20 T16N R21E or at a point from which the N $\frac{1}{4}$ corner of Section 29 T16N R21E or at a point from which the N $\frac{1}{4}$ corner of Section 29 T16N R21E MDB&M bears S 45° 21' E a distance of 42.43 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. The existing point of diversion is located within in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29 T16N R21E MDB&M or at point from which the W $\frac{1}{4}$ corner of said Section 29 Bears S 46° 21' 26" W 140.62 feet.
If point of diversion is not changed, do not answer.

7. Proposed place of use the S $\frac{1}{2}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19; the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 30; the NW $\frac{1}{4}$, and a portion SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29; the SW $\frac{1}{4}$ Section 20 T16N R21E MDB&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use all of Section 19. SW $\frac{1}{4}$ Section 20. E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29. W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30. All of Section 31.
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

All in Township 16 North, Range 21 East, MDB&M. SW $\frac{1}{4}$ Section 24. NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 25. E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 36, all in Township 16 North, Range 20 East MDB&M.

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

10. Use has been from 1 January to 31 December of each year.
Month and Day Month and Day

11. 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.) Drilled and cased well with electric motor and pump. Well will be a part of the Comstock Water System which includes a 50,000 gallon concrete reservoir and a distribution system.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works..... \$30,000
- 13. Estimated time required to construct works..... 8 months
- 14. Estimated time required to complete the application of water to beneficial use..... 5 years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be comingled with water appropriated under permit 30786 in the Comstock Water System and serve an industrial park and mobile home park.

Compared bc/bl js/bc Applicant.....

By s/Roy H. Hibdon #370
1479 S. Wells Avenue, Suite 15, Reno, Nevada
89502

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 34748 is issued subject to the terms and conditions imposed in said Permit 34748 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.

A combined duty of 100 acre-feet annually under Permits 43202, 46382, 46624 and 46625 must be reserved for Comstock Industrial Subdivision.

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

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 117.95 million gallons annually.

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before April 22, 1987

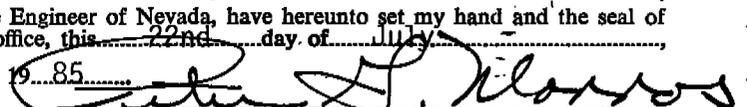
Proof of completion of work shall be filed before May 22, 1987

Application of water to beneficial use shall be made on or before April 22, 1988

Proof of the application of water to beneficial use shall be filed on or before May 22, 1988

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
 Completion of work filed JUN 4 1987
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No. Issued.....

IN TESTIMONY WHEREOF, I PETER G. MORROS,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 22nd day of July,
 A.D. 19 85

 State Engineer

(PERMIT TERMS CONTINUED)

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 24387, 24388, 24472, 25454, 25483, 25484, 26008, 26755, 27199, 34748, 34749, 42535, 42536, 42537, 42539, 42540, 42541, 43202, 43203, 46382, 46383, 46384, 46385, 46624, 46625, 46626, 47427, 47428, 48302, 48630 and 48631 shall not exceed 738.4 million gallons annually.

