

AMENDED

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 DEC 21 1981

Returned to applicant for correction JAN 25 1982

Corrected application filed FEB 19 1982 Map filed MAR 15 1982

The applicant TONOPAH PUBLIC UTILITIES

P. O. Box 151 of Tonopah Nevada 89049

hereby make application for permission to change the point of diversion and place of use

of water heretofore appropriated under Permit No. 40466.

(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, Rye Patch Basin, Ralston Valley
2. The amount of water to be changed 2.0 c.f.s.
3. The water to be used for Municipal purposes, Town of Tonopah & Airport Complex
4. The water heretofore permitted for municipal (commercial and domestic)
5. The water is to be diverted at the following point in the SE1/4 NE1/4 Section 18, T. 4N., R. 44E., M.D.B.&M., whence the NE Corner of said Section 18 bears N. 5°00'25"E., 1,856.26 feet distant.
6. The existing permitted point of diversion is located within the SE1/4 SE1/4 of Section 18, T. 4N., R. 44E., M.D.B.& M., whence the NE Corner of said Section 18 bears N. 7°47'01"E., 5,087.47 feet distant.
7. Proposed place of use See Attached
8. Existing place of use W1/2, Section 26, Section 27, E1/2 E1/2 Section 28, N1/2 N1/2 Section 34 Section 35, S1/2 Section 36 T. 3N., R. 42E., N1/2 Section 1 N1/2 Section 2 T. 2N., R. 42E. M.D.B.&M.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
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.) Works are complete and water is presently being conveyed to place of use by pipelines as indicated by
12. Estimated cost of works \$20,000.00
13. Estimated time required to construct works Works complete

- 14. Estimated time required to complete the application of water to beneficial use one (1) year
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This water source is intended, with all other water rights, to serve an estimated equivalent population of 10,000 people.

By /s/ Wallace T. Boundy
Wallace T. Boundy, Agent
Nye County Surveyor
P. O. Box 242
Tonopah, Nevada 89049

Compared lmr/bc br/ja

Protested _____

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 the waters of an underground source as heretofore granted under Permit 40466 is issued subject to the terms and conditions imposed in said Permit 40466 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.

The total combined duty of water under Permits 45148, 45149, 45150, 45151 and 45221 shall not exceed 471.81 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, but not to exceed 471.81 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 30, 1983

Proof of completion of work shall be filed before November 30, 1983

Application of water to beneficial use shall be made on or before October 30, 1985

Proof of the application of water to beneficial use shall be filed on or before November 30, 1985

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

Completion of work filed JUN 14 1984 IN TESTIMONY WHEREOF, I, PETER G. MORROS,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed DEC 22 1986
 my office, this 27th day of JUNE

Cultural map filed _____
 Certificate No. 12818 Issued MAY 10 1991 A.D. 19 83
Peter G. Morros
 State Engineer

7. Proposed place of use: NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8 and the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 8, N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18 and the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 19, T.4N., R.44E., M.D.B.&M.; Portions of S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 31 and the S $\frac{1}{2}$ of Section 31, T.3N., R.44E., M.D.B.&M.; Sections 5,6, & 8, N $\frac{1}{2}$ and the SW $\frac{1}{4}$ of Section 7, T.2N., R.44E., M.D.B.&M.; S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 35 and the S $\frac{1}{2}$ of Section 35, Portions of the S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 36 and the S $\frac{1}{2}$ of Section 36, Sections 30 and 31, T.3N., R.43E., M.D.B.&M.; Sections 1 and 12, E $\frac{1}{2}$ of Section 2, E $\frac{1}{2}$ of Section 11, T.2N., R.43E., M.D.B.&M.; Sections 1 and 2, T.2N., R.42E., M.D.B.&M.; Sections 25, 26, 27, 35, 36, and the E $\frac{1}{2}$ E $\frac{1}{2}$ and portions of NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, N $\frac{1}{2}$ N $\frac{1}{2}$ and portions of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and portions of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T.3N., R.42E., M.D.B.&M..