

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. MAR 26 1982

Returned to applicant for correction

Corrected application filed. Map filed. MAR 26 1982

The applicant Unincorporated Town of Battle Mountain

c/o Consulting Engineering Services of 1475 Terminal Way, Suite C-2, Reno
Street and No. or P.O. Box No. City or Town

Nevada 89502 hereby make S application for permission to change the
State and Zip Code No.

Point of Diversion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 39963
(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 - Well # 6
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 4 c.f.s.
Second feet, acre feet, One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for municipal
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 within the SE 1/4 SW 1/4 Section 18, T.32N., R.45E.,
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.
M.D.B.&M. from which the N.E. corner of the SE 1/4 SW 1/4 of said Section 18 bears
N 24° 21' 15" E., 248.00 feet

6. The existing permitted point of diversion is located within the NE 1/4 SW 1/4 Section 18, T.32N., R.45E.
If point of diversion is not changed, do not answer.
M.D.B.&M from which the center of said Section 18 bears N. 11° 29' E., 262 feet.

7. Proposed place of use Sections 7, 8, 17, 18, 19, 20, 21, 28, 29, 30, T.32N., R.45E.,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
M.D.B.&M and Sections 12, 13, 24, and 25 T.32N., R.44E., M.D.B.&M.

8. Existing place of use same
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

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

10. Use was permitted from January 1 to December 31 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 equipped with proper
State manner in which water is to be diverted, i.e. diversion structure, ditches,
seals, motor, pump and pipeline to place of use.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$160,000

13. Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use ten years

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

These waters are to be co-mingled with other rights of the applicant.

The Town presently has a population of approximately 4000.

By s/Philip T. Marshall
1475 Terminal Way, Suite C-2
Reno, Nevada 89502

Compared bc/dh bt/bc

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 of the waters of an underground source as heretofore granted under Permit 39963 is issued subject to the terms and conditions imposed in said Permit 39963 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 this permit and Permit 9251, Certificate 2281, Permit 17748, Certificate 5549, Permit 23312, Certificate 6968, Permit 28347, Certificate 9255 shall not exceed 943.6 million gallons per year.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second, but not to exceed 943.6 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 23, 1984

Proof of completion of work shall be filed before August 23, 1984

Application of water to beneficial use shall be made on or before July 23, 1987

Proof of the application of water to beneficial use shall be filed on or before August 23, 1987

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

Completion of work filed MAR 19 1984 IN TESTIMONY WHEREOF, I PETER G. MORROS,

Proof of beneficial use filed SEP 20 1990 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed my office, this 23rd day of JULY

Certificate No. 13464 Issued SEP 16 1992 A.D. 19 82

[Handwritten Signature]