

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 JUN 27 1984

Returned to applicant for correction AUG 29 1984

Corrected application filed Map filed OCT 29 1984

The applicant Duval Corporation

c/o Land Dept., 4715 E. Fort Lowell Rd. of Tucson Arizona (85712) Street and No. or P.O. Box No. City or Town

hereby make application for permission to change the Point of Diversion

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

of water heretofore appropriated under Permit No. 44403 (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 Fortitude Well Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 3.33 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for Same 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 NE 1/4 NE 1/4 Section 21, T31N, R43E, M.D.M., Describe as being within a 40-acre subdivision of public survey and by course and or at a point from which the N 1/4 corner of said Section 21 bears, N 68° 43' 19" distance to a section corner. If on unsurveyed land, it should be stated. W a distance of 1,473.46 feet

6. The existing permitted point of diversion is located within NW 1/4 NW 1/4 Section 8, T30N, R43E, MDM, or at a point from which the NW corner of said Section 8 bears, N 48° 17W, a distance of 42 feet. If point of diversion is not changed, do not answer.

7. Proposed place of use Section 21, 22, 27, 28, 33 and 34, T31N, R43E, M.D.M., and Section 9, 10, T30N, R43E, M.D.M. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Section 21, 22, 27, 38, 33 and 34, T31N, R43E, M.D.M. Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or and Section 9, 10, T30N, R43E, M.D.M. 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.) Drill and case well, equip with pump, motor and construct pipeline to place of use. State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$50,000

13. Estimated time required to construct works Two years

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.

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By /s/Richard W. Arden, Agent
950 Industrial Way
Sparks, Nevada (89431)

Compared v.jw/ js/se

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 44403 is issued subject to the terms and conditions imposed in said Permit 44403 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. The State retains the right to regulate the use of the water herein granted at any and all times.

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

The total combined duty of water under Permits 11876, Certificate 3503, 36870, 44401, 44402 and 48140 shall not exceed 825.65 million gallons annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

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

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.33 cubic feet per second, but not to exceed 785.56 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 12, 1986

Proof of completion of work shall be filed before December 12, 1986

Application of water to beneficial use shall be made on or before November 12, 1987

Proof of the application of water to beneficial use shall be filed on or before December 12, 1987

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

Completion of work filed JAN 07 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 3rd day of July

A.D. 1986
Peter G. Morros
State Engineer