

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 JUL 1 1985

Returned to applicant for correction JUL 12 1985

Corrected application filed JUL 24 1985 Map filed JAN 07 1974 under 27812

The applicant Industrial Minerals Ventures, Inc.

SR 15 Box 549 of Amargosa Valley
Street and No. or P.O. Box No. City or Town

Nevada 89020 hereby make S application for permission to change the
State and Zip Code No.

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

of water heretofore appropriated under permit # 38587
(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 .27 cfs. but not to exceed 75 acre feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for irrigation
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 NE 1/4 of NW 1/4 Sec 12,
Describe as being within a 40-acre subdivision of public survey and by course and
T17S R48E MDB&M at a point from which the North 1/4 corner of
distance to a section corner. If on unsurveyed land, it should be stated.
said S12 bears N 45° E., a distance of 100 feet

6. The existing permitted point of diversion is located within same
If point of diversion is not changed, do not answer.

7. Proposed place of use 15 acres within the SE 1/4, NW 1/4, sec 12 T 17S R48E
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
MDB&M Refer to maps #44652 and 30442

8. Existing place of use 80 acres within the W 1/2, NW 1/4, Sec 12 T 17S, R48E, MDB&M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
15 acres to be removed from irrigation.
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, submersible pump
State manner in which water is to be diverted, i.e. diversion structure, ditches,
electric motor, ditch to flood irrigation system.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$10,000.00

13. Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use..... one year.....

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

Refer to maps # 44652 or 30442

By s/David A. Bennett, Mill Supt.
SR 15 Box 549
Amargosa Valley, Nv. 89020

Compared mc/jf js/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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 38587 is issued subject to the terms and conditions imposed in said Permit 38587 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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.

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

This permit is issued subject to the Order dated April 13, 1982 of William P. Boko, District Judge in the Fifth Judicial District Court of the State of Nevada, in and for the County of Nye.

The issuance of this permit reduces the permitted acreage under 38587 to 65 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 12, T.17S., R.48E., M.D.B. & M.

This permit will terminate on October 31, 1987.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.27..... cubic feet per second, but not to exceed 75..... acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... March 9, 1986.....

Proof of completion of work shall be filed before..... April 9, 1986.....

Application of water to beneficial use shall be made on or before..... January 9, 1987.....

Proof of the application of water to beneficial use shall be filed on or before..... February 9, 1987.....

Map in support of proof of beneficial use shall be filed on or before..... February 9, 1987.....

Completion of work filed..... 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..... my office, this..... 9th..... day of..... January.....

Cultural map filed.....

Certificate No..... Issued..... A.D. 19..... 86.....

[Signature of Peter G. Morros]
State Engineer

2407 (Rev. 6-81)
[Signature]
APR 17 1986
STATE ENGINEER