

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 21 1988  
Returned to applicant for correction MAR 31 1988  
Corrected application filed APR 26 1988 Map filed APR 26 1988

The applicant Touchstone Resources Company  
5250 S. Virginia St., #300 of Reno,  
Street and No. or P.O. Box No. City or Town  
Nevada 89502 hereby make application for permission to change the  
State and Zip Code No.  
Point of Diversion of a portion  
Point of diversion, manner of use, and/or place of use  
of water heretofore appropriated under Permit 51265  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree):

- The source of water is Underground  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.4 c.f.s.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Mining and Milling  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Mining and Milling  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point NE $\frac{1}{4}$ SE $\frac{1}{4}$  Section 5, T. 37N., R. 48E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
MDB&M, or at a point from which the SE corner of said Section 5 bears  
distance to a section corner. If on unsurveyed land, it should be stated.  
South 4° 44' 11" East, 1700.47 feet.
- The existing permitted point of diversion is located within NE $\frac{1}{4}$ NE $\frac{1}{4}$  Section 8, T. 37N., R. 48E.,  
If point of diversion is not changed, do not answer.  
MDB&M or at a point from which the NE corner of said Section 8 bears  
North 76°13'00" East, 240.00 feet.
- Proposed place of use All of section 4, E $\frac{1}{2}$  Section 5, NE $\frac{1}{4}$  Section 8,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
N $\frac{1}{2}$  Section 9, T. 37N., R. 48E., MDB&M; SE $\frac{1}{4}$  Section 32, S $\frac{1}{2}$  Section 33,  
T. 38N., R. 48E., MDB&M.
- Existing place of use No change  
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.
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day
- 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 well with pump and electric  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
generator, storage tank and distribution pipeline.  
pipes and flumes, or drilled well, etc.
- Estimated cost of works \$20,000
- Estimated time required to construct works 3 years

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.

The water under this well will supplement the production under Permit 51265 and other applications filed to change portions of Permit 51265. The total annual duty of all supplemental wells is projected to be 144.5 mga, as described by letter dated 1-18-85 to the Division of Water Resources.

By s/ W Jack Clark  
5250 S. Virginia St., #300  
Reno, Nevada 89502

Compared.....jm/bk..... pm/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 a portion of the waters of an underground source as heretofore granted under Permit 51265 is issued subject to the terms and conditions imposed in said Permit 51265 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.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 51265, 51933, 51935, 51936 and 52339 shall not exceed 144.54 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 (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 0.4 cubic feet per second, but not to exceed 28.91 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 7, 1989

Proof of completion of work shall be filed before May 7, 1989

Application of water to beneficial use shall be made on or before April 7, 1991

Proof of the application of water to beneficial use shall be filed on or before May 7, 1991

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

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 19th day of October

Cultural map filed.....

Certificate No..... Issued.....

A.D. 19 88  
*Peter G. Morros*  
State Engineer

permitted JUN 9 1989  
WITHDRAWN BY APPLICANT  
*Peter G. Morros*  
STATE ENGINEER

(PERMIT TERMS CONTINUED)

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.