ASSIGNED
Nº 53885

AMENDED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP 25 1989

Returned to applicant for correction NOV 15 1989

Corrected application filed DEC 04 1989

Map filed DEC 04 1989

The applicant U. S. Department of Energy, Nevada Operations Office

2753 S. Highland (Street and No. or P.O. Box No.), of Las Vegas (City or Town),

Nevada 89109 (State and Zip Code No.), hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is underground (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 1.02 second-feet (One second-foot equals 448.83 gals. per min.)

   (a) If stored in reservoir give number of acre-feet two (2) acre feet

3. The water to be used for Quasi Municipal (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

4. If use is for:

   (a) Irrigation, state number of acres to be irrigated

   (b) Stockwater, state number and kinds of animals to be watered

   (c) Other use (describe fully under "No. 12. Remarks")

   (d) Power:

      (1) Horsepower developed

      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point NW ¼ of the NE ¼ of Section 2, T, 1 S., R.46E M.D.B. & M and on a bearing of N. 88° 01' 11" E. a distance of 2393.99' to the southeast corner of section 35', T. 1 N., R.46E., M.D.B. & M (Unsurveyed Land) (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 so stated.)

6. Place of use Section 1, T. 1 S., R.46E., M.D.B. & M. (Unsurveyed Land) (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), of each year.

8. 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.) from well thru pump to 8" PVC to chlorinator to storage tank to buildings. (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $500,000.00

10. Estimated time required to construct works one (1) year
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use two (2) years

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

240 million gallons annual consumptive use.

s/Larry W. Koch
By Larry W. Koch (Agent)
Post Office Box 1749
Tonopah, NV 89049

Compared bk/se bp/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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

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

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The total combined duty of water under Permits 50168 and 53885 shall not exceed 240 million gallons annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.02 cubic feet per second, but not to exceed 240 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 2, 1991

Proof of completion of work shall be filed on or before October 2, 1991

Application of water to beneficial use shall be made on or before September 2, 1993

Proof of the application of water to beneficial use shall be filed on or before October 2, 1993

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

Completion of work filed SEP 25 1990

Proof of beneficial use filed OCT 19 1993

Cultural map filed

Certificate No. 14093 Issued MAR 09 1995

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of March, A.D. 19 90

R. Michael Turnipseed P.E.
State Engineer

(O)-5314 (Rev.)