Serial No. 55064

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 16 1990

Returned to applicant for correction

Corrected application filed Map filed JUL 16 1990

The applicant Bently Nevada Corporation

P.O. Box 157 (Street and No. or P.O. Box No.) of Minden (City or Town)

Nevada 89423 (State and Zip Code No.) hereby make.s application for permission to change the

Point of Diversion and Place of Use of a portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 52066 (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 0.089 CFS (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Dewatering for environmental control (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Dewatering for environmental control (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 SE¼ SE¼ Section 6, T.13N., R.20E., M.D.M. or at a point from which the Southwest corner of Section 8, T.13N., R.20E. bears S. 00° 33' 36" E. a distance of 5289.4 feet (EX-21A). (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.)
6. The existing permitted point of diversion is located within the SE¼ NW¼ Section 8, T.13N., R.20E., M.D.M. or at a point from which the Southwest corner of said Section 8 bears S. 37° 20' 27" W., a distance of 3528 feet (EX-8A). (If point of diversion is not changed, do not answer.)
7. Proposed place of use See Exhibit A (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use within portions of the NW¼ NE¼ and SW¼ NE¼ of Section 8, T.13N., R.20E., M.D.M. (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 October 1 (Month and Day) to September 30 (Month and Day) of each year.
10. Use was permitted from October 1 (Month and Day) to September 30 (Month and Day) of each year.
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.) Well approximately 35 feet deep w/pump and motor; 6" casing; piping to a flow equalization tank and air stripping tower. (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 $16,000 for well and pump.
13. Estimated time required to construct works already completed. Gravel packed 6" diameter well screened from 35' to 25'. Constructed as monitoring well MW-2A

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:

This environmental control well is part of a remedial measure reviewed by NDEP. Groundwater will be extracted from the shallow aquifer and treated by air stripping. Treated water will be disposed of by discharging into irrigation ditches within the proposed place of use.

By s/Thomas A. Foote
160 Hubbard Way
Reno, NV 89502

Compared bc/ am am/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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 52066 is issued subject to the terms and conditions imposed in said Permit 52066 and with the understanding that no other rights on the source will be affected by the change proposed herein. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of the measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. 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 water granted herein 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 55064, 55065, 55066, 55067, 55068, 55069 and 55070 shall not exceed 226.3 million gallons annually.

The issuance of this permit rescinds the temporary Permit 55063-T.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.089 cubic feet per second, but not to exceed 19.96 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 5, 1992

Proof of completion of work shall be filed before May 5, 1992

Application of water to beneficial use shall be made on or before April 5, 1994

Proof of the application of water to beneficial use shall be filed on or before May 5, 1994

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

Completion of work filed MAY 20 1992

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

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 5th day of April, A.D. 19 91

R. Michael Turnipseed P.E.
State Engineer

(O)-1108 (Rev. 6-81)

EXHIBIT A
PROPOSED PLACE OF USE

SECTION 5, T.13N.,R.20E., M.D.M.	
SE 1/4 NW 1/4	40.00 AC
W 1/2 NW 1/4	80.37 AC
SECTION 6, T.13N.,R.20E., M.D.M.	
NE 1/4 NE 1/4	40.35 AC
S1/2 NE 1/4	80.00 AC
SE 1/4	160.00 AC
W 1/2	300.70 AC
SECTION 7, T.13N.,R.20E., M.D.M.	
NE 1/4	160.00 AC
N 1/2 SE 1/4	80.00 AC
SECTION 8, T.13N.,R.20E., M.D.M.	
W 1/2 NE 1/4	80.00 AC
NW 1/4 SE 1/4	40.00 AC
N 1/2 SW 1/4	80.00 AC
S 1/2 NW 1/4	80.00 AC
SECTION 31, T.14N.,R.20E., M.D.M.	
W 1/2	292.73 AC
SECTION 36, T.14N.,R.19E., M.D.M.	
E 1/2 E 1/2	160.34 AC
TOTAL	1674.49 AC