

SECOND AMENDED

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

Date of filing in State Engineer's Office DEC 21 1990

Returned to applicant for correction

Corrected application filed FEB 11 1991

Map filed FEB 12 1991

The applicant Midas Water Cooperative

1175 Wood Dr. of Fallon, Nevada 89406

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.) A Nevada corporation incorporated November 25, 1989

1. The source of the proposed appropriation is underground

2. The amount of water applied for is .1 c.f.s. second-feet

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

3. The water to be used for quasi-municipal

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 within the SW 1/4 NW 1/4 of Section 21, T. 39N., R. 46E., M.D.B. & M. or at a point from which the NW corner of said Section 21 bears N 21° 16' W 2375'

6. Place of use E 1/2 E 1/2 of Section 20; SW 1/4 NW 1/4 NW 1/4 SW 1/4 of Section 21, T. 39N., R. 46E., M.D.B. & M.

7. Use will begin about January 1st and end about December 31st 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.) well, pump, tank & water distribution system

9. Estimated cost of works \$500,000.00

10. Estimated time required to construct works 2 years If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 3 years

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

Water will be used to serve 50 houses, 30 mobile homes, 1 bar and 1 bar & restaurant. Total annual consumption will be 22.2 million gallons.

By Robert N. Caldwell, P.L.S. as s/Robert N. Caldwell agent
146 West Second Street
Winnemucca, NV 89445

Compared pm/ jm 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 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 permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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 appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.10 cubic feet per second, but not to exceed 13.03 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 20, 1992

Proof of completion of work shall be filed on or before January 20, 1993

Application of water to beneficial use shall be made on or before December 20, 1994

Proof of the application of water to beneficial use shall be filed on or before January 20, 1995

Map in support of proof of beneficial use shall be filed on or before January 20, 1995

Completion of work filed _____

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 herunto set my hand and the seal of my

office, this 20th day of December,

A.D. 1991


State Engineer