

AMENDED

Serial No. 56054

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 25 1991

Returned to applicant for correction. MAY 1 - 1991

Corrected application filed. MAY 16 1991 Map filed. MAY 16 1991 under 56053

The applicant. Black Beauty Gold, Inc.

P. O. Box 312 of Evansville City or Town

Indiana 47702 State and Zip Code No. hereby make application for permission to change the

Place of Use

Point of diversion, manner of use, and/or place of use Permit 52621

of water heretofore appropriated under 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. 1.5 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for. Mining, Milling and Domestic 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. NE 1/4 NE 1/4 of Section 22, T 30 N, R 47 E, 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. MDB & M., at a point from which the NE corner of said Section 22 bears N 14 degrees 09' 00" E, 950.00 feet.

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

7. Proposed place of use. All of Sections 14, 15, 22, 23 and 24, T 30 N, R 47 E, Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. MDB & M.

8. Existing place of use. NE 1/4 of Section 22, T 30 N, R 47 E, MDB & 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 January 1 to December 31 of each year. Month and Day

10. Use was permitted from January 1 to December 31 of each year. 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.) Well, Pump, Pipelines and Storage Tank 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. \$30,000

13. 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:

As per the terms of Permit 52621, the total combined duty of water under permits 52619 and 52621 shall not exceed 150.32 million gallons annually.

By HIGH DESERT Engineering, Agent
s/ Robert E. Morley
Robert E. Morley
515 South Fifth Street
Elko, NV 89801

Compared am/se 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 the waters of an underground source as heretofore granted under Permit 52621 is issued subject to the terms and conditions imposed in said Permit 52621 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. 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 56053, 56054 and 56055 shall not exceed 150.32 million gallons annually.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.5 cubic feet per second, but not to exceed 150.32 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 9, 1993

Proof of completion of work shall be filed before April 9, 1993

Application of water to beneficial use shall be made on or before March 9, 1995

Proof of the application of water to beneficial use shall be filed on or before April 9, 1995

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

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 hereunto set my hand and the seal of my office, this 9th day of April

A.D. 19 92

[Signature of R. Michael Turnipseed, P.E.]
State Engineer

WITHDRAWN BY APPLICANT agent MAY 17 1999

[Signature of R. Michael Turnipseed, P.E.]
STATE ENGINEER

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. 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 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.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used.

