

TEMPORARY

Serial No. 56535T

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 15 1991

Returned to applicant for correction

Corrected application filed Map filed JUL 15 1991

The applicant BOARD OF NYE COUNTY COMMISSIONERS

P.O. BOX 153 of Tonopah City or Town

Nevada 89049 State and Zip Code No. hereby make... application for permission to change the

Point of Diversion of a portion

of water heretofore appropriated under Application #48520, in the name of Nye County Commissioners. 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 0.150 c.f.s. Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-municipal purposes (Town of Manhattan) Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Quasi-municipal purposes 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 in the SE 1/4 NE 1/4 of Section 23, T.8N., R.43E., M.D.B.&M., at a point whence the NE corner of said Section 23 bears N. 28°41'15"E., 2,195.69 feet distant. 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 SW 1/4 NE 1/4 of Section 20, T.8N., R.44E., M.D.B.&M., or at a point which the W 1/2 corner of said Section 20 bears S.77°23'46"W., a distance of 3,813.01 feet distant. If point of diversion is not changed, do not answer.

7. Proposed place of use in the Town of Manhattan, situated in portions of Section 20 and in the E 1/2 NE 1/4 of Section 19, both of T.8N., R.44E., M.D.B.&M. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use IN THE Town of Manhattan, situated in portions of Section 20 and in the E 1/2 NE 1/4 of Section 19, both of T.8N., R.44E., M.D.B.&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 1st to December 31st of each year. Month and Day

10. Use was permitted from January 1st to December 31st 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.) It is proposed to drill a temporary exploratory well to be followed by a permanent facility if successful. 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 \$10,000.00

13. Estimated time required to construct works 2 months

14. Estimated time required to complete the application of water to beneficial use..... 2 years

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

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By..... s/ Wallace T. Boundy
..... P.O. Box 242
..... Tonopah, NV 89049

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 temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 48520 is issued subject to the terms and conditions imposed in said Permit 48520 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 temporary 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 48520 and 56535-T shall not exceed 54.75 million gallons annually.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on September 9, 1992 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed..... 0.15..... cubic feet per second, but not to exceed 32.85 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

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 10th day of September

A.D. 1991

R. Michael Turnipseed
State Engineer

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1991 SEP 10 10:10 AM
STATE ENGINEER