Serial No. 60820

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 JAN 20 1995

Returned to applicant for correction

Corrected application filed Map filed JAN 20 1995

The applicant United States Gypsum Company

P.O. Box 130 (Street and No. or P.O. Box No.) of Empire (City or Town)

Nevada 89405 (State and Zip Code No.) hereby make application for permission to change the

Point of Diversion of a Portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Certificate 5386 (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 0.28/FT^3/Second, 205 Acre Feet Per Year (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Manufacturing and Domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Manufacturing and Domestic or Section 26, T.31N., R.23E. (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 NE¼ of the NE¼ of Section 26, T.31N., R.23E., MDM, at a Point From Which the West ¼ Corner of Section 13, T.31N., R.23E., MDM, Bears N2° 18' 26" E 8,278.05 Feet. (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 NE ¼ of the NE ¼ of Section 14, T.31N., R.23E., MDM, at a Point From Which The Northeast Corner of Said Section 14 Bears N 81° 13' 32" E 508.38 Feet. (If point of diversion is not changed, do not answer.)
7. Proposed place of use Same as existing (See Item 8, Below) (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use The W½ of the SE¼ and the E½ of the SW¼ of Section 11, T.31N., R.23E., MDM, and the NE¼ of the NW¼ of Section 14, T.31N., R23E., MDM (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 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (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.) An 800 to 1000 foot well with 100 HP Vertical or Submersible Pump, With Pipe to Connect (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 $250,000
13. Estimated time required to construct works 1 Years

14. Estimated time required to complete the application of water to beneficial use 1 Year

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

To be used in conjunction with existing certificates 5082, 5386 (Remainder), 8042 and 11964 to serve the Empire, Nevada, Gypsum Product Manufacturing Facility and Community.

UNITED STATES GYPSUM COMPANY
By David B. Carter
By/David B. Carter, Agent
P.O. Box 130
Empire, NV 89405

Compared jk/gkl

Protested

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:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

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, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of A.D. 19

State Engineer

WITHDRAWN BY APPLICANT JUL 19 1995

STATE ENGINEER

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