

AMENDED

Serial No. 61410

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 19 1995
Returned to applicant for correction AUG 03 1995
Corrected application filed SEP 25 1995 Map filed SEP 25 1995

The applicant Baroid Drilling Fluids, Inc.

Box 340 of Battle Mountain Nevada 89820
Street and No. or P.O. Box No. City or Town State and Zip Code No.

hereby make application for permission to change the point of diversion and manner of use of a portion of water heretofore appropriated under permit #42934

- 1. The source of water is underground
2. The amount of water to be changed 0.78 c.f.s. (350 g.p.m.), not to exceed 565 acre-feet per year
3. The water to be used for mining, milling de-watering and domestic
4. The water heretofore permitted for mining and milling, and domestic
5. The water is to be diverted at the following point within the SE 1/4 SW 1/4 Sec. 22, T. 37 N., R. 49 E., MDM, from which the NE corner of said section bears N. 34°26' E., 5,395 ft. dist.
6. The existing permitted point of diversion is located within the NE 1/4 SE 1/4 Sec. 15, T. 37 N., R. 49 E., MDM, from which the SE corner of said section bears S. 37°33' E., 2,031 ft. dist.
7. Proposed place of use Same as existing
8. Existing place of use T. 37 N., R. 49 E., MDM: all of sections 15, 22, 26, 27, 34, 35 and the E 1/2 Sec. 21
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 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.) drilled & cased well, with gravel packing, submersible pump and motor, storage tanks or reservoir, and pipeline distribution network.
12. Estimated cost of works estimate \$65,000.00
13. Estimated time required to construct works one year

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

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

The site of the present base right (#42934) is being mined out; this change application is submitted to allow construction of a replacement well at a more convenient location; a small amount of duty of the base permit will be left at the original site, for the pumping of the inflow from surrounding shallow aquifers as the pit is enlarged..

By s/ William A. Nisbet  
421 Court Street  
Elko, Nevada 89801

Compared ds/bk cl/cms

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 point of diversion and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 42934 is issued subject to the terms and conditions imposed in said Permit 42934 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. 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 total combined duty of water under Permits 42931, 42932, 42934 and 61410 shall not exceed 1,000.0 acre-feet annually.

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

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.78 cubic feet per second but not to exceed 565.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 10, 1997

Proof of completion of work shall be filed before October 10, 1997

Application of water to beneficial use shall be made on or before September 10, 1998

Proof of the application of water to beneficial use shall be filed on or before October 10, 1998

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

Completion of work filed NOV 03 1997

Proof of beneficial use filed OCT 26 1998

Cultural map filed

Certificate No. 15359 Issued JAN 04 2000

IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P. E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of July

A.D. 19 96 [Signature] State Engineer