TEMPORARY

AMENDED

NO. 63383 T

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 AUG 28 1997

Returned to applicant for correction SEP 9- 1997

Corrected application filed OCT 01 1997

Map filed MAY 13 1992 under 57373

****

The applicant **U.S. Department of Energy Yucca Mountain Site Characterization Project**, hereby makes application for permission to change the **point of diversion and place of use of a portion** of water heretofore appropriated under **Permit 57373**

****

1. The source of water is **Underground**

2. The amount of water to be changed **0.333 cfs (3 af)**

3. The water to be used for **Industrial/Pump Test**

4. The water heretofore permitted for **Industrial**

5. The water is to be diverted at the following point **MDB&M T.13S., R.49E., S.25 NW¼ NW¼ (unsurveyed) GPS Coordinates: Longitude W 116°25'00" Latitude N 36°47'57" Altitude 1032.50 meters**

6. The existing permitted point of diversion is located within **SW¼ NE¼, Sec. 6, T.14S., R.50E., MDB&M or at a point from which the SW corner of said Sec. 6, bears S 51°08'04" W a distance of 4332.31 feet**

7. Proposed place of use **MDB&M T.13S., R.49E., S.25 NW¼ NW¼ (unsurveyed) GPS Coordinates: Longitude W 116°25'00" Latitude N 36°47'57" Altitude 1032.50 meters**

8. Existing place of use **Refer to Attachment "A"**

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 **A drilled well equipped with a motor, pump, pipeline and standpipe.**

12. Estimated cost of works **$150,000 to conduct testing**

13. Estimated time required to construct works **Drilling completed 5/25/83. Total depth 1,142 feet. 2-7/8 inch casing to depth of 1,125 feet.**

14. Estimated time required to complete the application of water to beneficial use **one (1) year**

15. Remarks: **Refer to Attachment "B"**

By **s/ Wendy R. Dixon**
U.S. Dept. of Energy, P.O. Box 30307
North Las Vegas, NV 89036-0307

Compared cl/jr jr/cms

Protested

63383-T

****

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 and place of use of a portion of Permit 57373 of the waters of an underground source as heretofore granted under Permit 57373 is issued subject to the terms and conditions imposed in said Permit 57373 and with the understanding that no other rights on the source will be affected by the change proposed herein.

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. 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 place 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. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit is issued subject to: 1) Compliance with the monitoring program titled "Monitoring Program for the Groundwater Levels and Spring Flows in the Yucca Mountain Region of Southern Nevada and California, February 1991, United States Department of Energy, Yucca Mountain Project Office." 2) Data collected from said monitoring program shall be submitted to the State Engineer's office on a quarterly basis, within 30 days after the end of each calendar quarter. 3) The terms and conditions set forth in State Engineer's Ruling No. 3870, dated March 2, 1992.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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 total combined duty of water under Permits 57373, 57374, 57375, 57376, 58827, 58828, 58829, 63383-T, 63384-T and 63385-T shall not exceed 430.19 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345, Section 2 and will expire on December 15, 1998 at which time all rights herein ranted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.333** cubic feet per second, **but not to exceed 3.0 acre-feet annually.**

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

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 filed on or before:

TEMPORARY

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:

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 **16th** day of **December**, A.D. **1997**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

EXPIRED

DEC 1 0 1997

ATTACHMENT "A"

All T. 12 S., R. 48 E.; All T. 12 S., R. 49 E., Sections 14 through 23 and 26 through 35, T. 12 S., R. 50 E.; All T. 13 S., R. 48 E.; All T. 13 S., R. 49 E.; Sections 7 through 9, 16 through 21 and 28 through 33, T. 13 S., R. 50 E.; Sections 1 through 3, 10 through 15, 22 through 27 and Section 36, T. 14 S., R. 48 E.; Sections 1 through 12, 15 through 22 and 27 through 34, T. 14 S., R. 49 E.; Sections 4 through 9, T. 14 S., R. 50 E.; Section 1, T. 15 S., R. 48 E.; Sections 3 through 6, T. 15 S., R. 49 E., all within M.D.B. & M. (unsurveyed)

ATTACHMENT "B"

This Temporary Application is being filed in order to temporarily use water appropriated under Permit 57373 (Well J-12) for a pump test at borehole USW WT-3. The pump test is being performed in conjunction with site characterization activities for the Yucca Mountain Project. The overall objectives of this activity are characterization of the oxidation/reduction potential and pH and minor element dissolved-ion geochemistry and isotopic analysis. The purpose of this work is to clean out the well in order to collect water samples for chemical analyses.

The pump test will last approximately three months and is expected to be completed within one year. Under Permit 57373, the YMP has appropriated 430.19 acre-feet (af). The total consumptive duty of this application will not exceed 3 af. The water will be released into existing drainages through a pipeline and distribution tank.

All terms and conditions applicable to Permit 57373 will also be observed on this Permit.

The well designation is J-12.

For the Proposed Place of Use, refer to the attached map. For the Existing Point of Diversion and Existing Place of Use, refer to the map filed under Permit 57373.