

AMENDED
TEMPORARY

NO. 65125-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 MAY 19 1999
Returned to applicant for correction JUN 02 1999
Corrected application filed JUN 02 1999
Map filed JUN 11 1999 under 64880

The applicant **Chemical Lime Company**, hereby makes application for permission to change the **Point of Diversion, Place of Use, and Manner of Use** of water heretofore appropriated under **Permit 26277, Certificate 8462**

1. The source of water is **underground**
2. The amount of water to be changed **0.22 second feet**
3. The water to be used for **milling, mining, and domestic**
4. The water heretofore permitted for **milling and domestic**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ SE $\frac{1}{4}$ section 23 T-18-S R-63 M.D.B.&M.**, or at a point from which the south quarter corner of said section 23 bears South 44° 05' 04" West a distance of **1444.43'**.
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ NE $\frac{1}{4}$ section 14 T-18-S R-63-E M.D.B.&M.**, or at a point from which the north quarter corner of said section 14 bears north 68° 21' 28" west at a distance **1255.06'**
7. Proposed place of use **Section 14, T18S, R63E: Lots 3, 7, 15, 18, 20, 22, 24, 26, 28 and 29, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, T18S, R63E: Lots 1, 10, 12, 23, 24, and 25, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23, T18S, R63E: Lots 1, 3, 4, 6, 8, 10, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 26, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 24, T18S, R63E: Lots 3, 4, 6, 7, 11 and 12 Section 26, T18S, R63E: Lots 3, 5, 6, 8, 11, 14, 17 and 18, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, T18S, R63E: E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 34, T18S, R63E: N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 35, T18S, R63E: Lot 4, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$**
8. Existing place of use **within portions of sections 14, 22, 23, 26, 27, 34, and 35, T-18-S R-63-E, M.D.B.&M.**
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 **Installation of pumping equipment with new 8" well and a waterline to the mill site where tank distribution facilities are already in place.**
12. Estimated cost of works **two hunder-sixty thousand dollars**
13. Estimated time required to construct works **two months**
14. Estimated time required to complete the application of water to beneficial use **two years**

15. Remarks: Chemical Lime is currently drilling a new water well to utilize all of its water rights. It is crucial to the operation to complete this well and begin pumping water as soon as possible. It is anticipated the approval process of the permanent change of point of diversion will not allow Chemical Lime to begin showing Beneficial Use of newly acquired water rights until after the date when Beneficial Use is scheduled to start, June 1999.

By s/Dan Wilcox c/o Chemical Lime Co.
P O Box 3609
N. Las Vegas, NV 89036

Compared dl/jr dl/jr

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, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 26277, Certificate 8462 is issued subject to the terms and conditions imposed in said Permit 26277, Certificate 8462 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.

This temporary 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 temporary 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.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on July 1, 2000 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.22 cubic feet per second, but not to exceed 49.0 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 filed 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:

TEMPORARY

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 2nd day of July, A.D. 1999



State Engineer

by Christine Thiel, P.E.
Deputy State Engineer

EXPIRED

DATE JUL 01 2000