

TEMPORARY

No. 66319-T

AMENDED

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 02 2000

Returned to applicant for correction MAY 17 2000

Corrected application filed JUN 12 2000

Map filed JUN 14 2000

The applicant **Elmer Wheeler**, hereby makes application for permission to change the **Point of Diversion, Manner of Use and Place and Use of water** heretofore appropriated under **Permit 53091**

1. The source of water is **Underground Source**
2. The amount of water to be changed **0.2 C.F.S., 25 acre feet.**
3. The water to be used for **Mining**
4. The water heretofore permitted for **Irrigation.**
5. The water is to be diverted at the following point **Within the NE4 SE4, Sec 10, T17S, R65E, M.D.M. or at a point from which the East one-quarter, corner (E¼) of Section 10, T17S, R65E, M.D.M. bears North 68° 25' East a distance of 1140.00 feet.**
6. The existing permitted point of diversion is located within **The NW¼ of the SW¼, of Section 25, T14S, R65E, M.D.M. or at a point from which the W¼ corner of said Section 25, T14S, R65E, M.D.M. bears North 41° 24' 24" West a distance of 20.00 feet.**
7. Proposed place of use **W½ NW¼ NE¼ SE¼, Section 10, T17S, R65E, M.D.M.**
8. Existing place of use **5 acres within the NW¼ NW¼ SW¼ Section 25, T14S, R65E, M.D.M. – 5 acres to be removed from irrigation**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Drill 800 foot steel cased well with 8 inch casing, install 40 HP submersible pump, meter and 10,000 gallon storage tank.**
12. Estimated cost of works **40,000**
13. Estimated time required to construct works **3 months**
14. Estimated time required to complete the application, of water to beneficial use **5 years**
15. Remarks: **Well to be used for milling and mining purposes, for additional information please contact Mr. Mark Ewanko of eagle sand and Gravel at (702) 399-1710, address 624 Casa Del Norte, LV NV 89031.**

By **Elmer Wheeler**
s/**Elmer Wheeler**
2908 Golfside Drive
Las Vegas NV 89134

Compared my/cmf hf/cmf

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 53091 is issued subject to the terms and conditions imposed in said Permit 53091 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 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 **November 16, 2001** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

EXPIRED
DATE NOV 16 2001

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.2 cubic feet per second, but not to exceed 25.0 acre-feet annually.

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

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

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

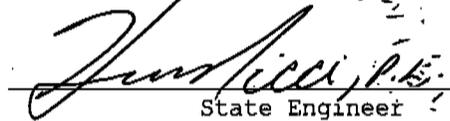
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 17th day of November A.D. 2000


State Engineer

