

AMENDED

NO. 66343

APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF  
NEVADA

Date of filing in State Engineer's Office May 10, 2000

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed May 25, 2000

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The applicant **Steve and Susie Constant**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **underground**
2. The amount of water applied for is **0.2228** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **mining, milling, and domestic**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 14, T.42N., R.28E., MDB&M or at a point from which the NE corner of said Section 14 bears N 41°34' E 3572.00 feet.**
6. Place of Use **S $\frac{1}{2}$  SW $\frac{1}{4}$  NE $\frac{1}{4}$ , N $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14, T.42N., R.28., MDB&M**
7. Use will begin about **February 1** and end about **November 30** of each year.
8. Description of proposed works **existing well within 6" casing drilled by persons unknown, pump, motor, generator, and 50-cubic yard placer plant**
9. Estimated cost of works **in excess of \$10,000**
10. Estimated time required to construct works **2 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**
12. Remarks: **See Attachment "A"**

Desert Mountain Surveying as agent  
by John H. Milton III, PLS, SWRS  
By s/ John H. Milton III  
146 West Second Street  
Winnemucca, NV 89445

Compared nsr/dl ds/cmf

Protested 6/21/00, USDI Bureau of Land Management;

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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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. 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. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins or before the Proof of Completion of Work is filed.

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

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 groundwater basin.

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.

Upon permanent cessation of all mining and milling purposes, all water granted under the permit will revert back to the source from which it was appropriated, except for any water requirements needed for any mine closure plan and/or to mitigate any adverse impacts caused by pumping.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.2228 cubic feet per second, **but not to exceed 35.29 acre-feet annually.**

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

July 10, 2002

Proof of completion of work shall be filed before:

August 10, 2002

Water must be placed to beneficial use on or before:

July 10, 2004

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

August 10, 2004

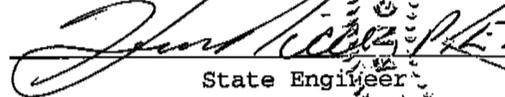
Map in support of proof of beneficial use shall be filed on or before:

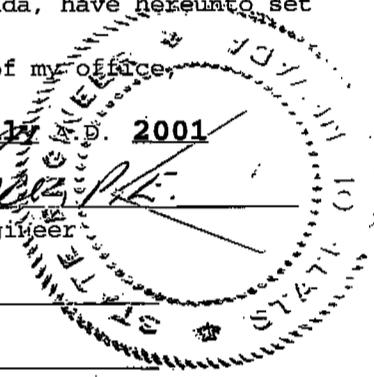
N/A

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

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

this 10th day of, July, A.D. 2001

  
State Engineer



Completion of work filed AUG 20 2002

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

