NO. 67714

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 **JUN 28 2001**

Returned to applicant for correction

Corrected application filed

Map filed **NOV 25 1997 under 63585**

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The applicant **Republic Environmental Technologies, Inc.** hereby makes application for permission to change the **Manner of Use** of water heretofore appropriated under **Permit No. 63585**

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1. The source of water is **Underground, Garnet Valley**

2. The amount of water to be changed **0.0004 cfs (0.11 afa)**

3. The water to be used for **Industrial and domestic (including power plant cooling)**

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

5. The water is to be diverted at the following point **Within the NE¼ NW¼ of Section 20, T18S, R64E, MDB&M, or at a point from which the N¼ corner of said Section 20 bears N 87° 47' 35" E, a distance of 923.1 feet.**

6. The existing permitted point of diversion is located within **No change**

7. Proposed place of use **Within portions of the S½ NE¼, N½ SE¼, SW¼ SE¼, E½ SW¼ of Section 18, T18S, R64E, MDB&M, and portions of the W½ NE¼ and E½ NW¼ of Section 19, T18S, R64E, MDB&M, [Resurvey Tract 37, (Kelly Placer Mining Claim)]**

8. Existing place of use **No change**

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 and cased well 940 feet deep with a 5 HP Grundfus submersible pump and a 1-inch Sensus Meter (SN 51885183) at well head.**

12. Estimated cost of works **No additional cost**

13. Estimated time required to construct works **Proof of Completion filed under Permit 63585**

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

15. Remarks: **The purpose of this application is to include power plant cooling as an industrial use. Current uses include compaction within the landfill, fire protection, aggregate production and washing, domestic uses, and minor landscaping. Water uses will also include construction activities and dust control during power plant construction. Please use map filed under Permit No. 63585 to support this application.**

By **Randy Bowling, Agent for Republic Envir. Tech., Inc.**
s/ Randy Bowling
P. O. Box 12926
Reno, NV 89510-2926

Compared **gkl/**cmf ds/cmf

Protested 9/14/01 USDI NATIONAL Park Service;
Pro Overruled 12/20/01, See Ruling #5085

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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 to change the manner of use of the waters of an underground source as heretofore granted under Permit 63585, is issued subject to the terms and conditions imposed in said Permit 63585, 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 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.

The total combined duty of water under Permits 67711, 67712, 67713, 67714, 67715, 67716, 67717, 67718, 67719 and 67720 shall not exceed 468.0 acre-feet annually.

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.

(CONTINUED ON PAGE 3)

 67714

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.0004** cubic feet per second, **but not to exceed 0.11 acre-feet annually.**

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

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

October 8, 2003

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

November 8, 2003

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,

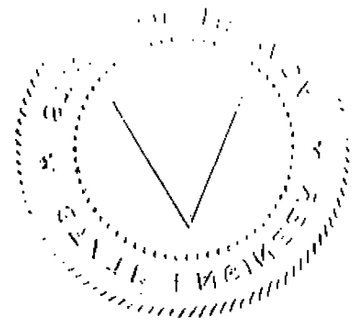
this **28th** day of, **December** A.D. **2001**

Christine Thiel

By: Deputy State Engineer Christine Thiel, P.E.

Completion of work filed under 63585 on August 10, 1998.

Proof of beneficial use filed _____

Cultural map filed **N/A**

Certificate No. _____ Issued _____