

2nd AMENDED
APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office September 7, 2004

Returned to applicant for correction October 4, 2004

Corrected application filed FEB 01 2005

Map filed FEB 01 2005

The applicant **NYE COUNTY** makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **UNDERGROUND**
2. The amount of water applied for is **0.5** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **QUASI-MUNICIPAL**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **N/A**
 - (b) Stockwater, state number and kinds of animals to be watered **N/A**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed **N/A**
 - (2) Point of return of water to stream **N/A**
5. The water is to be diverted from its source at the following point (**Yucca Flat – Basin #159**) **SW¼ NE¼ Sec. 10, T.11S., R.53E., M.D.B.&M., (unsurveyed land) or at a point which bears S 86° 45' 52" E., a distance of 26,559.81 Feet from the found monument AA-1.**
6. Place of Use **SW¼ NE¼ Sec. 10, T.11S., R.53E., M.D.B.&M., (unsurveyed land).**
7. Use will begin about **JANUARY 1ST** and end about **DECEMBER 31ST** of each year.
8. Description of proposed works **DRILLED WELL WITH PUMP AND MOTOR AND PIPELINE**
9. Estimated cost of works **\$100,000.00**
10. Estimated time required to construct works **10 YEARS**
11. Estimated time required to complete the application of water to beneficial use **10 YEARS**

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12. Remarks: QUASI-MUNICIPAL WATER SUPPLIES WILL BE NEEDED TO SUPPORT COMMUNITY DEVELOPMENT AND GROWTH IN THE COMMUNITY OF AMARGOSA VALLEY; CHANGE IN PLACE OF USE AND INTER-BASIN TRANSFER WILL BE SOUGHT UPON DETERMINATION OF ADEQUATE WATER QUALITY AND QUANTITY

By s/ Maryellen C. Giampaoli
MARYELLEN C. GIAMPAOLI Agent
P.O. BOX 127
BLUE DIAMOND, NV 89004

Compared aem/sc

Protested 4/8/05 by US.DOE NAT. NUC. SEC. Admin.; 4/8/05 by USDI Park Service;

DENIAL OF STATE ENGINEER

The protests are upheld in part and this application is hereby denied on the grounds that its approval would threaten to prove detrimental to the public interest. No ruling is made on the remaining protest issues.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of August, A.D. 2006.

Tracy Taylor, P.E.
State Engineer