



TEMPORARY

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: TOWN OF EUREKA
Source: UNDERGROUND
Basin: DIAMOND VALLEY
Manner of Use: MUNICIPAL
Period of Use: January 1st to December 31st
Priority Date: 05/23/1962

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 point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 57857 is issued subject to the terms and conditions imposed in said Permit 57857 and with the understanding that no other rights on the source will be affected by the change proposed herein.

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

The total combined duty of water under Permits 57857 and 76527T shall not exceed 200 acre-feet annually.

The total combined duty of water under Permits 55660, 62929 and 76527-T shall not exceed 675.987 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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

The approval of this Temporary Permit 76527T expires Temporary Permit 75209-T.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.03 cubic feet per second or 20.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: N/A
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: N/A
Map in support of proof of beneficial use shall be filed on or before: N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of March, A.D. 2008

Tracy Taylor, P.E.
State Engineer

Temporary

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office..... DEC 12 2007

Returned to applicant for correction.....

Corrected application filed..... Map filed..... FEB 21 1999 under 52892

The applicant Town of Eureka

P.O. Box 714 of Eureka

Street and No. Or P.O. Box No. City or Town

Nevada, 89316, hereby make s application for permission to change the

State and Zip Code No.

Point of Diversion and Place of Use of A PORTION

of water heretofore appropriated under Permit # 57857

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree

and identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.027 CFS, not to exceed 20 ac. ft annually
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Municipal
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.
4. The water heretofore used for Municipal
If for stock state number and kind of animals.
5. The water is to be diverted at the following point Located within Lot 9, Sec. 28, T. 20 N. R. 53 E.
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
MDB&M from a point from which the Southeast Corner of said Sec. 28 bears S 46° 20' 21" E
a distance of 1949.4 feet., (Point of diversion under permit # 62929, Diamond Valley Well # 1)
6. The existing point of diversion is located within Located within the NE¼ SW¼, Sec. 10, T. 20 N. R. 53 E. MDB & M. from a point from which the West ¼ corner of said Section 10 bears N 46° 34' W a distance of 1,868.0 feet.
If point of diversion is not changed, do not answer.

153.EL

7. Proposed place of use Eureka County as created under NRS 243.1110 and revised under
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
NRS 243.115, 243.120, 243.130, and 243.137

8. Existing place of use SE¹/₄; SE¹/₄-NE¹/₄; E¹/₂-NE¹/₄-NE¹/₄; and portions of the NW¹/₄-SW¹/₄;
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner
NE¹/₄-SW¹/₄; and SE¹/₄-SW¹/₄ of Sec. 9; W¹/₂ of Sec. 10; E¹/₂-E¹/₂; NW¹/₄-NE¹/₄; portions of the
of use of irrigation permit, describe acreage to be removed from irrigation.
NE¹/₄-NW¹/₄; SW¹/₄-NE¹/₄; NW¹/₄-SE¹/₄; and SW¹/₄-SE¹/₄ of Sec. 16 all within T. 20 N. R. 53 E.
MDB&M

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing Turbine pump, booster pump,
State manner in which water is to be diverted, i.e. diversion structure, ditches,
Drilled well, and transmission line.
pipes and flumes or drilled well, pump and motor, etc.

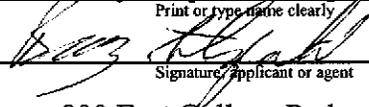
12. Estimated cost of works 0

13. Estimated time required to construct works Work Completed
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Work Completed

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The existing distribution system will be used to provide water for construction
purposes on projects within Eureka County. This permit will replace permit # 75209-T
upon termination of that temporary permit on February 29, 2008 and this Temporary
permit can be canceled upon approval of a permanent permit filed for this same use
under Application # 76526

By Barry Fitzpatrick, Agent
Print or type name clearly

Signature of applicant or agent
800 East College Parkway
Street and No., or P.O. Box No.
Carson City, Nevada 89706
City, State, Zip Code No.

APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION