



**TEMPORARY
THE STATE OF NEVADA**

**PERMIT TO CHANGE THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Name of applicant: NYE COUNTY
Source: UNDERGROUND
Basin: AMARGOSA DESERT
Manner of Use: QUASI-MUNICIPAL
Period of Use: January 1st to December 31st
Priority Date: 08/16/1961

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 and place of use of the waters of an underground source as heretofore granted under Permit 69314 is issued subject to the terms and conditions imposed in said Permit 69314 and with the understanding that no other rights on the source will be affected by the change proposed herein. 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. 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.

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 temporary permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 2)

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 0.28 cubic feet per second or 43.0 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:

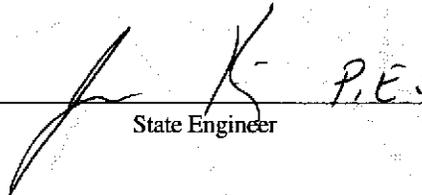
N/A

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

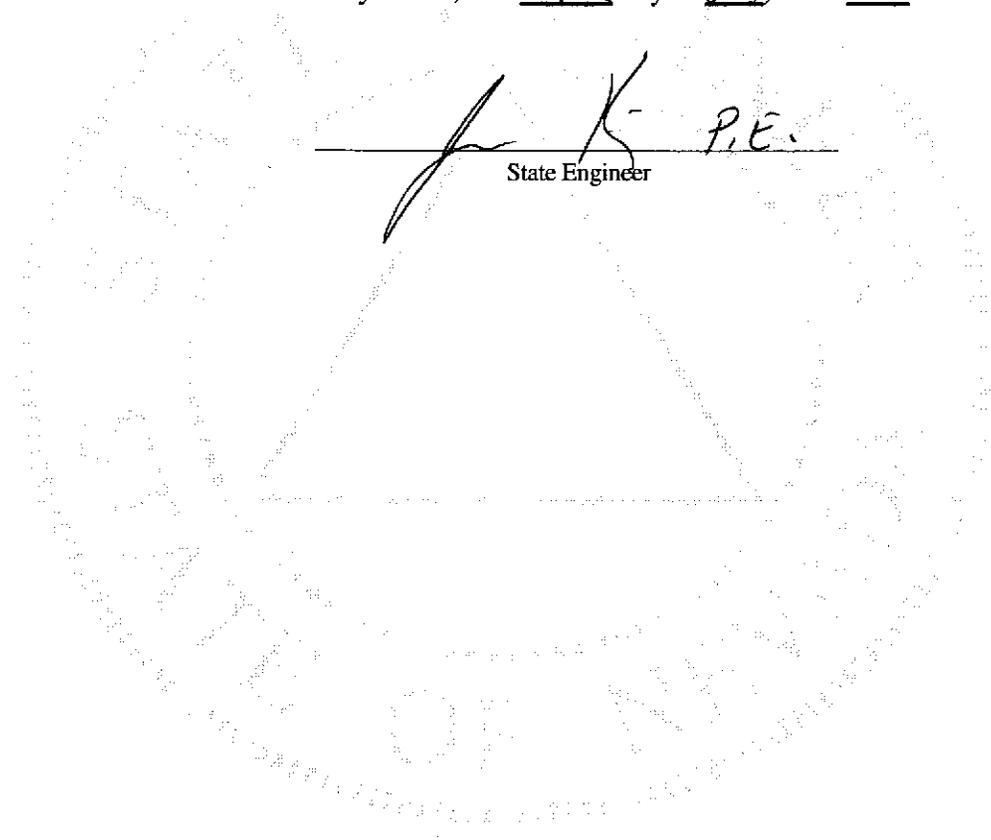
N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 29th day of **July**, A.D. **2010**



State Engineer



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 JUN 30 2010
Returned to applicant for correction _____
Corrected application filed _____ Map filed JUN 30 2010

The applicant Nye County
P.O. Box 153 of Tonopah
Street Address or PO Box City or Town
Nevada 89049 hereby make(s) application for permission to change the
State and ZIP Code

- Point of diversion Place of use Manner of use of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 69314

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed .28 cfs, 43 acre-feet
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi 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 Quasi Municipal
If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
within the SE¼ SE¼ of section 12, T.15S., R.49E., MDM, or at a point from which the SE corner of said section 12 bears S. 60° 01' 49"E, a distance of 813.1 feet. Please refer to attached quad map for the proposed point of diversion.

6. The existing point of diversion is located within (if point of diversion is not changed, do not answer.)
the SE¼ SE¼ of section 18, T.15S., R.50E., MDM, or at a point from which the SE corner of said section 18 bears S. 02° 38' 23"E, a distance of 1,160 feet. Please refer to map filed under permit No. 69314 for the existing point of diversion.

230-NY

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12 T.15S., R.49E., and that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 19 T.15S., R50E. MDM that lies north of U.S. Highway 95. Please refer to the attached quad map and the map filed under permit No. 69314 for the proposed places of use.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

The portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18 and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 19 T.15S., R50E. MDM that lies north of U.S. Highway 95. Please refer to the map filed under permit No. 69314 for the existing place of use.

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

10. Existing 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.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

8" well drilled to a depth of 1,851 feet, submersible pump, totalizing meter and distribution system, see attached well completion diagram.

12. Estimated cost of works in excess of \$50,000.00

13. Estimated time required to construct works existing, see attached well completion diagram.

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use one year

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

The Arsenic level in the existing point of diversion under permit No. 69314 exceed the safe drinking water levels. Currently the Arsenic level in the proposed point of diversion, aka NC-EWDR-4PD is below safe drinking water levels, however Arsenic levels in groundwater have a tendency to rise above the initial levels once pumping begins and then stabilize over time. The water rights under existing permit No. 69314 are being transferred to the proposed point of diversion to conduct a pump test to verify that the Arsenic levels will remain within safe drinking water levels prior to making a permanent change application.

16. Miscellaneous remarks:

The base rights under this change application are being moved further from Devils Hole in accordance with Order No. 1197.

Megreg1159@aol.com

E-mail Address

702-875-4594

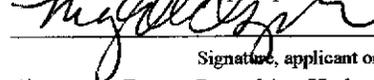
Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

MaryEllen C. Giampach

Type or print name clearly



Signature, applicant or agent

Thomas S. Buqo, Consulting Hydrogeologist, Inc.

Company Name

P.O. Box 127

Street Address or PO Box

Blue Diamond, Nevada 89004

City, State, ZIP Code