

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

Date of filing in State Engineer's Office... DEC 21 1979
Returned to applicant for correction...
Corrected application filed...
Map filed... Feb 24, 1972 under 26532

The applicant... Eureka Water Association, Inc.
P.O. Box 263, of Eureka, Nevada 89316
hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Nevada - March 22, 1967

1. The source of the proposed appropriation is... Middle Spring and tributaries
Name of stream, lake or other source.

2. The amount of water applied for is... .111 cfs
One second-foot equals 448.83 gals. per min.
second-foot

(a) If stored in reservoir give number of acre-feet... 200,000 gallon storage tank
acre-feet

3. The water to be used for... Municipal and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

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: in the SE 1/4 NE 1/4 Section 36, T.19N., R.53E., MDB&M. or at a point from which the NE corner of said Section 36 bears N.05°09'E., 2,072.08 feet distant.
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.

6. Place of use... SE 1/4 NE 1/4, SE 1/4 Section 14, SE 1/4 NE 1/4, N 1/2 NE 1/4 Section 23, SW 1/4 NW 1/4, W 1/2 SW 1/4 Section 13, W 1/2 NW 1/4 Section 24, T.19N., R.53E., MDB&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about... 1st of January and end about... 31st of December of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)... water is piped to a storage tank, and then to the place of use.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works.....\$15,000.00
- 10. Estimated time required to construct works.....completed
- 11. Estimated time required to complete the application to beneficial use.....30 days
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The water from this spring is presently being used for
 Municipal and Domestic purposes and has been used since the
 year 1873. For the supporting map please refer to No. 26532.

Applicant...Eureka Water Association, Inc.

By s/ Richard Forman
 Richard W. Forman, Agent
 P.O. Box 150
 Ely, Nevada 89301

Compared lp/jk gk/bc

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 all existing rights on the source. It is understood that the 0.111 c.f.s., 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 a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.111 cubic feet per second, but not to exceed 26.2 million gallons annually.

- Actual construction work shall begin on or before April 30, 1981
- Proof of commencement of work shall be filed before May 30, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before April 30, 1982
- Proof of completion of work shall be filed before May 30, 1982
- Application of water to beneficial use shall be made on or before April 30, 1985
- Proof of the application of water to beneficial use shall be filed on or before May 30, 1985
- Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed MAY 19 1983
 Completion of work filed MAY 19 1983
 Proof of beneficial use filed 6-21-89
 Cultural map filed AUG 15 1991
 Certificate No. 12933 Issued

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 30th day of OCTOBER
 A.D. 1980

William J. Newman
 State Engineer

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Paul Lumos, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Middle Spring and Tributaries through a collector line, storage tanks and distribution system for Municipal and Domestic purposes. The point of diversion of water from the source is as follows:

SE1/4 NE1/4 Section 36, T.19N., R.53E.,
M.D.B.&M. or at a point from which the NE
corner of said Section 36 bears N. 05' 09' E.
a distance of 2,072.08 feet situated in Eureka
County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator: Eureka Water Association, Inc.
Source: Middle Spring and Tributaries
Manner of Use: Municipal and Domestic
Amount of appropriation: 0.111 c.f.s. but not to exceed 26.18
million gallons annually
Period of use: January 1st to December 31st of each
year
Date of priority of
appropriation: December 21, 1979

Description of the works of diversion, manner and place of use:

Water is developed by means of a perforated collector line connected to a 4 inch pipeline to two 300,000 gallon steel tanks and one 200,000 gallon underground concrete tank, thence through a distribution system to the Town of Eureka located in the SE1/4 NE1/4, SE1/4 Section 14; SE1/4 NE1/4, N1/2 NE1/4, Section 23; SW1/4 NW1/4, W1/2 SW1/4, Section 13; W1/2 NW1/4, Section 24, T.19N., R.53E., M.D.B.&M.

The total combined rate of diversion under any certificates issued under Permits 40156, 40157, 40158, 40159, 40160, 40161, 40162, 40163, 40164 and 40165 shall not exceed 0.13 c.f.s.

The total combined duty of water under any certificates issued under Permits 40156, 40157, 40158, 40159, 40160, 40161, 40162, 40163, 40164 and 40165 shall not exceed 30.67 million gallons annually.

This certificate is issued subject to the terms of the permit.

continued

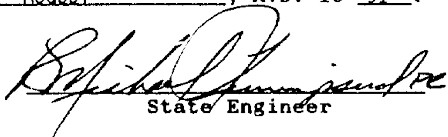
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Application No. 40162

Certificate No. 12933

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of AUGUST, A.D. 19 91.


State Engineer

bk/vjw

