

AMENDED

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 OCT 09 1997
 Returned to applicant for correction OCT 24 1997
 Corrected application filed NOV 13 1997
 Map filed NOV 05 1997 UNDER 63488

The applicant **RONALD LEE BERG, A SINGLE MAN, d/b/a SHOSHONE ESTATES WATER COMPANY** hereby makes application for permission to change the **POINT OF DIVERSION** of water heretofore appropriated under **PERMIT 49810**

1. The source of water is **UNDERGROUND**
2. The amount of water to be changed **.04 CFS (26.88 AFA)**
3. The water to be used for **QUASI-MUNICIPAL**
4. The water heretofore permitted for **QUASI-MUNICIPAL**
5. The water is to be diverted at the following point **LOCATED WITHIN THE SE1/4 SW1/4, SECTION 29, T11N, R43E, M.D.M., AT A POINT FROM WHICH THE SOUTH 1/4 CORNER OF SAID SECTION 29 BEARS SOUTH 3° 31'02" EAST, A DISTANCE OF 764.83 FEET.**
6. The existing permitted point of diversion is located within **NW1/4 NE1/4, SECTION 32, T11N, R43E, M.D.M., OR AT A POINT FROM WHICH THE SW CORNER OF THE NW1/4 NE1/4, SECTION 32 BEARS SOUTH 45° WEST, A DISTANCE OF 35.35 FEET. (N1/16 C/C CORNER)**
7. Proposed place of use **SAME AS EXISTING PLACE OF USE.**
8. Existing place of use (PARCEL #1): **ALL THAT PORTION OF THE W1/2 OF SE1/4, SEC. 29, T11N, R43E, M.D.M., LYING NORTH OF NEVADA STATE HIGHWAY 376, EXCEPT THE WESTERLY 660.5 FEET. (PARCEL #2): NE1/4 OF SE1/4, SEC. 29, T11N, R43E, M.D.M. (PARCEL #3): SE1/4 OF SE1/4, SEC. 29, T11N, R43E, M.D.M., LYING NORTHERLY OF NEVADA STATE HIGHWAY 376. (PARCEL #4): NE1/4 OF NE1/4, SEC. 32, T11N. R43E, M.D.M., LYING NORTHERLY OF NEVADA STATE HIGHWAY 376.**
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 **COMPLETE DESIGNED WATER SYSTEM TO SERVICE 24, 1 ACRE LOTS, KNOWN AS SHOSHONE ESTATES.**
12. Estimated cost of works **AT LEAST \$5,000**
13. Estimated time required to construct works **ONE YEAR**
14. Estimated time required to complete the application of water to beneficial use
15. Remarks:

AGENT: HAAS & ASSOCIATES, CARL V. HAAS
 By s/Carl V. Haas
 HC 60 BOX 54802
 ROUND MOUNTAIN, NV 89045

Compared lw/cms dl/cms

Protested _____

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 of the waters of an underground source as heretofore granted under Permit 49810 is issued subject to the terms and conditions imposed in said Permit 49810 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 46809, 46913, 63488 and 63489 shall not exceed 29.32 million gallons annually.

Any well drilled under Permits 49810 and 46914 shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of 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 0.04 cubic feet per second, but not to exceed 8.76 million gallons annually.

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

October 16, 2001

Proof of completion of work shall be filed before:

November 16, 2001

Application of water to beneficial use shall be filed on or before:

October 16, 2002

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

November 16, 2002

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

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 23rd day of March, A.D. 1999


State Engineer

FEB 12 2001

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____