AMENDED

NO. 63694

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 DEC 30 1997

Returned to applicant for correction JAN 21 1998

Corrected application filed MAR 20 1998

Map filed MAR 23 1998 under 63692

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The applicant **Boomtown, Inc.** hereby make application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Permit #36513, Certificate #11132**

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1. The source of water is **Underground**

2. The amount of water to be changed **0.8210 cfs - not to exceed 21.324 M.G.A.**

3. The water to be used for **Quasi-Municipal and Domestic**

4. The water heretofore permitted for **Quasi-Municipal and Domestic**

5. The water is to be diverted at the following point **NE1/4 SE1/4 of Section 17, T19N, R18E, MDM, or at a point from which the S1/4 corner Section 16, T.19N., R.18E., MDM bears S. 52°42'01"E., a distance of 4519.08 feet. (Well #11)**

6. The existing permitted point of diversion is located within **SE1/4 NW1/4 of Section 16, T19N, R18E, MDB & M, or at a point from which the S1/4 corner of said Section 16, bears S. 16°11'18" E., a distance of 2875.53 feet (Well #6).**

7. Proposed place of use **See Attachment**

8. Existing place of use **Portions of the SE1/4, N1/2 SW1/4, SE1/4 SW1/4, S1/2 NW1/4, Section 16; and NE1/4, SE1/4, NE1/4 SW1/4, SE1/4 NW1/4, Section 17, all within T19N, R18E, MDB & M.**

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 **A drilled well, pump and distribution system.**

12. Estimated cost of works **$50,000.00**

13. Estimated time required to construct works **Three (3) Years**

14. Estimated time required to complete the application of water to beneficial use **Eight (8) Years**

15. Remarks:

s/Michael D. Buschelman
By Michael D. Buschelman, P.L.S.
5405 Mae Anne Avenue
Reno, Nevada 89523

Compared gkl/cms dl/cms

Protested

63694

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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 the waters of an underground source as heretofore granted under Permit 36513, Certificate 11132 is issued subject to the terms and conditions imposed in said Permit 36513, Certificate 11132 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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 36512, Certificate 11131; 44593, Certificate 12461; 44594, Certificate 12462; 44595, 44596, 63692, 63693 and 63694 shall not exceed 290.3 million gallons annually.

Any well drilled under Permit 36513, Certificate 11132 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 permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

The quarterly report shall also include the amount of water pumped on a monthly basis from each well serving the described place of use.

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.8210** cubic feet per second, **but not to exceed 21.324 million gallons annually.**

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

January 23, 2001

Proof of completion of work shall be filed before:

February 23, 2001

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

January 23, 2004

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

February 23, 2004

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 **22nd** day of **December**, A.D. **1998**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By: 66264 0.8210

ATTACHMENT

ITEM NO. 7 - PROPOSED PLACE OF USE

A PORTION OF THE N1/2 OF THE NW1/4, A PORTION OF THE S1/2 OF THE NW1/4, A PORTION OF THE W1/2 OF THE NE1/4, A PORTION OF THE N1/2 OF THE SE1/4, A PORTION OF THE S1/2 OF THE SE1/4, A PORTION OF THE N1/2 OF THE SW1/4 AND S1/2 OF THE SW1/4 OF SECTION 16 T19N, R18E, MDM.

A PORTION OF THE S1/2 OF THE NW1/4, A PORTION OF THE N1/2 OF THE NE1/4, A PORTION OF THE S1/2 OF THE NE1/4, A PORTION OF THE N1/2 OF THE SE1/4, A PORTION OF THE S1/2 OF THE SE1/4 AND A PORTION OF THE NE1/4 OF THE SW1/4 OF SECTION 17 T19N, R18E, MDM.