

**ASSIGNED
NO. 66320**

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 MAY 02 2000
Returned to applicant for correction MAY 17 2000
Corrected application filed JUN 12 2000
Map filed JUN 14 2000 under 66319-T

The applicant **Elmer Wheeler**, hereby makes application for permission to change the **Point of Diversion, Manner of Use and Place of Use** of water heretofore appropriated under **Permit 53091**

1. The source of water is **Underground Source**
2. The amount of water to be changed **0.2 CFS, 25 acre feet.**
3. The water to be used for **Mining**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **within the NE¹/₄ SE¹/₄, Sec 10, T17S R65E, M.D.M. or at a point from which the East one-quarter corner E¹/₄) of Section 10, T17S, R65E, M.D.M. bears North 68° 25' East a distance of 1140.0 Feet.**
6. The existing permitted point of diversion is located within **The NW¹/₄ of the SW¹/₄, of Section 25, T14S, R65E, M.D.M. or at a point from which the W¹/₄ corner of said section 25, T14S, R65E, M.D.M. bears North 41° 24' 24" West a distance of 20.00 feet.**
7. Proposed place of use **W¹/₂ NW¹/₄ NE¹/₄ SE¹/₄ Section 10, T17S R65E M.D.M.**
8. Existing place of use **5 acres within the NW¹/₄ NW¹/₄ SW¹/₄, Section 25, T14S, R65E, M.D.M. - 5 acres to be removed from irrigation.**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Drill 800 foot steel cased well with 8 inch casing, install 40 HP submersible pump, meter and 10,000 gallon storage tank.**
12. Estimated cost of works **40,000**
13. Estimated time required to construct works **3 months**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **Well to be used for milling and mining purposes.**

By **Elmer Wheeler**
s/Elmer Wheeler
2908 Golfside Drive
Las Vegas, NV 89134

Compared dl/cmf ds/cmf

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, manner and place of use of the waters of an underground source as heretofore granted under Permit 53091, is issued subject to the terms and conditions imposed in said Permit 53091, 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.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

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

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.2 cubic feet per second, but not to exceed 25 acre-feet annually.

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

December 3, 2002

Proof of completion of work shall be filed before:

January 3, 2003

Water must be placed to beneficial use on or before:

December 3, 2003

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

January 3, 2004

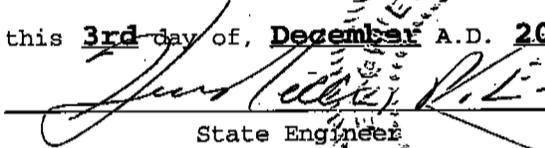
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

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

this 3rd day of, December A.D. 2001


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

N/A

Certificate No. _____

Issued _____

