

## 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 25 2001

Returned to applicant for correction \_\_\_\_\_

Corrected application filed NOV 27 2001Map filed NOV 30 2001

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The applicant **Lance O'Banion** hereby make application for permission to change the **Point of Diversion, Manner and Place of Use** of water heretofore appropriated under **Permit 65469**

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1. The source of water is **Underground**
2. The amount of water to be changed **0.2238 CFS, not to exceed 162.02 Acre Feet**
3. The water to be used for **Fish Propagation and Domestic Use**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, T.10N., R.24E., M.D.B.&M. or at a point from which the E $\frac{1}{4}$  corner of said Section 21 bears N. 6° 48' 50" E., a distance of 1957.6 feet.**
6. The existing permitted point of diversion is located within **NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, T.9N., R.24E., M.D.B.&M., or at a point from which the W $\frac{1}{4}$  corner of said Section 8 bears N. 80° 08' 57" W., a distance of 2016.3'.**
7. Proposed place of use **SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, T.10N., R.24E., M.D.B.&M.**
8. Existing place of use **E $\frac{1}{2}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, T.9N., R.24E. M.D.B.&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 **Existing 8" well equipped with a 40 HP submersible pump, distribution line, fish pens and basins.**
12. Estimated cost of works **\$200,000.00**
13. Estimated time required to construct works **Completed.**
14. Estimated time required to complete the application of water to beneficial use **One (1) year.**
15. Remarks: **This application is being filed to provide water for an existing Commercial Fish Hatchery currently under contract with NDOW & USFWS to provide Lahontan Cutthroat Trout. Permanent applications will be filed to change this right and the rights under Permits 64961 and 65470.**

By **Gregory M. Bilyeu**  
s/Gregory M. Bilyeu  
**500 Damonte Ranch Parkway, Suite 1056**  
**Reno, Nevada 89511**

Compared my/cmf ds/cmf

Protested \_\_\_\_\_

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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, place and manner of use of the waters of an underground source as heretofore granted under Permit 65469, is issued subject to the terms and conditions imposed in said Permit 65469, 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.

(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 0.2238 cubic feet per second, **but not to exceed 162.02 acre-feet annually.**

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

August 26, 2002

Proof of completion of work shall be filed before:

September 26, 2002

Water must be placed to beneficial use on or before:

August 26, 2003

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

September 26, 2003

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

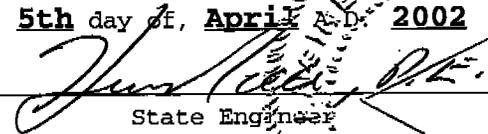
N/A

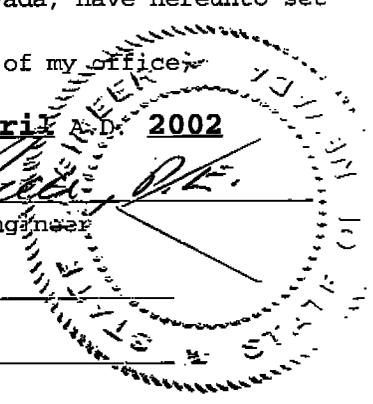
IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 5th day of, April A.D. 2002

  
\_\_\_\_\_  
State Engineer



Completion of work filed SEP 27 2002

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

