No. 69244

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 14 2002

Returned to applicant for correction

Corrected application filed

Map filed AUG 06 1971 under 26232

****

The applicant **Lyon County c/o Lyon County Utilities**, hereby makes application for permission to change the **Place of Use and Manner of Use of a portion** of water heretofore appropriated under **Permit 26233, Certificate 11436**

****

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

2. The amount of water to be changed **0.17 c.f.s., 39.93 MGA**

3. The water to be used for **Municipal**

4. The water heretofore permitted for **Mining, Milling, and Domestic**

5. The water is to be diverted at the following point **SE¼ NE¼ Section 31, T.17N., R.22E., MDM, or at a point from which the S¼ corner of Section 30, T.17N., R.22E., MDM, bears N. 37°30' W., a distance of 2,506.2 feet**

6. The existing permitted point of diversion is located within **No change**

7. Proposed place of use **Please Refer to Exhibit "A"**

8. Existing place of use **E½ SE¼ Section 25, T.17N., R.21E., MDM; SE¼ SE¼, SW¼ Section 30, all of Section 31, W½ W½ Section 32, T.17N., R.22E., MDM; N½ N½ Section 6, T.16N., R.22E., MDM**

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 and cased well, equipped with a motor, pump, meter and municipal distribution system**

12. Estimated cost of works **in excess of $100,000**

13. Estimated time required to construct works **Completed**

14. Estimated time required to complete the application of water to beneficial use **10 years**

15. Remarks: **Please use map on file under Application 68155 to support the proposed Place of Use. Use map on file under Permit 26232 to support the existing and proposed Point of Diversion and Place of Use.**

Brian A. Randall, Resource Concepts, Inc.
By **s/Brian A. Randall**
340 North Minnesota Street
Carson City, Nevada 89703

Compared **cmf/** cac aq/ 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 place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 26233, Certificate 11436 is issued subject to the terms and conditions imposed in said Permit 26233, Certificate 11436 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 total combined duty of water under Permits 69243 and 69244 shall not exceed 122.54 acre-feet annually.

The total combined duty of water under Permits 49483; 49486, Certificate 14718; 50361; 56593; Certificate 14706; 58931, Certificate 14719; 58932; 58933, Certificate 14720; 58934; 62937; 62938, Certificate 15662; 62939, 62940, 63626, 63628, 63630, 63632, 63633, 64128, 64782, 64783, 64784, 64785, 64957, 66427, 68155, 68156, 68196, 68197, 68198, 68708, 68737, 69243, 69244, 69245, 70040, 70041 and 70042 shall not exceed 6684.07 acre-feet annually.

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.

The issuance of this permit reduces the total combined duty of water under Permit 26232, Certificate 13659 and Permit 26233, Certificate 11436 by 122.54 acre-feet annually to 200.0 acre-feet annually.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

69244

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.17** cubic feet per second, **but not to exceed 122.54 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:
January 13, 2005

Proof of completion of work shall be filed on or before:
February 13, 2005

Water must be placed to beneficial use on or before:
January 13, 2009

Proof of the application of water to beneficial use shall be filed on or before:
February 13, 2009

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 **27th** day of **February,** A.D. **2004**

Hugh Ricci, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

Question #7 - Proposed Place of Use:

T. 16 N., R. 21 E., M.D.B.& M.:

All of Section 1; SE¼ SE¼. Section 2; All of Section 11; SW¼, W½ NW¼, NE¼ NW¼, portion of the SE¼ NW¼, portion of the W½ NE¼, portion of the NE¼ NE¼, SW¼ SE¼, portion of the NW¼ SE¼, portion of the E½ SE¼, Section 12; Portion of the W½ NW¼, portion of the NE¼ NW¼, portion of the N½ NE¼, Section 13; E½, Section 14; SE¼ SW¼, E½, Section 23; N½ Section 24; Portion of the NW¼, Section 26; SW¼, W½ SE¼, portion of the SE¼ NE¼, portion of the NE¼ SE¼, Section 27; E½ SW¼, SE¼, Section 28; NE¼ NW¼, N½ NE¼, Section 33; N½ NW¼, Section 34.

T. 16 N., R. 22 E., M.D.B.& M.:

All of Section 3; N½, N½ SW¼, SE¼ SW¼, portion of the SW¼ SE¼, Section 4; N½, Section 5; NW¼, N½ NE¼, portion of the S½ NE¼, portion of the NW¼ SE¼, NW¼ SW¼, portion of the NE¼ SW¼, portion of the S½ SW¼, Section 6; W½ W½, NE¼ NW¼, portion of the NW¼ NE¼, Section 9; NW¼ Section 16; All of Section 17; S½ SW¼, NE¼ SW¼, S½ NE¼, SE¼, Section 18; All of Section 19.

T. 17 N., R. 21 E., M.D.B.& M.:

SE¼ SE¼, Section 36.

T. 17 N., R. 22 E., M.D.B.& M.:

S½ of Section 29; SE¼ SE¼ Section 30; portion of the NE¼ NE¼, S½ N½, S½, Section 31; N½ N½, portion of the S½ NE¼, portion of the N½ SE¼, portion of the SW¼ NW¼, Section 32; S½ S½, NW¼ SW¼, NW¼ SE¼, SE¼ NE¼ SE¼, Section 33; SW¼, S½ NW¼, NE¼ NW¼, portion of the SW¼ NE¼, S½ SE¼, Section 34.