No. 69895

AMENDED PERMIT

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 **APR 18 2003**

Returned to applicant for correction

Corrected application filed

Map filed **APR 08 2003 under 69702**

****

The applicant **John C. Serpa**, hereby makes application for permission to change the **Point of Diversion, Manner & Place of Use** of water heretofore appropriated under **Permit 68104**

****

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

2. The amount of water to be changed **0.108 c.f.s., not to exceed 21.58 a.f.a.**

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

4. The water heretofore permitted for **Irrigation**

5. The water is to be diverted at the following point **NW¼ NE¼, Section 23, T.17N., R.19E., M.D.B.&M., or at a point from which the N¼ Corner of said Section 23, bears N. 86°45'27" W., a distance of 969.35 feet**

6. The existing permitted point of diversion is located within **NE¼ NW¼, Section 26, T.17N., R.19E., M.D.B.&M. or at a point from which the W¼ Corner of said Section 26 bears S. 46°04'30" W., a distance of 2500 feet**

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

8. Existing place of use **See Attachment "B"**

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

12. Estimated cost of works **$150,000.00**

13. Estimated time required to construct works **Five (5) years**

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

15. Remarks: **Water being changed by this application is to be used for municipal purposes within the proposed place of use. For existing point of diversion and place of use, refer to map(s) filed under Application 68102- 68106. The total combined duty of Applications to Change Permits 68103 through 68106 is not to exceed 72.92 acre-feet.**

By **Gregory M. Bilyeu**
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, #1056
Reno, NV 89521

Compared **cmf/cac lt/**
Protested 8/1/03 by St. James Village, Inc.; W/D 6/30/05

****

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 of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 68104 is issued subject to the terms and conditions imposed in said Permit 68104, 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.

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 permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other 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 any 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 total combined duty of water under Permits 69894, 69895, 69896, 69897, 69898, 69899, 69900 and 69901 shall not exceed 153.20 acre-feet annually.

The total combined duty of water under Permits 69702, 69703, 69705, 69706, 69707, 69894, 69895, 69896, 69897, 69898, 69899, 69900 and 69901 shall not exceed 474.86 acre-feet annually.

A monitoring plan must be developed and submitted to the State Engineer for approval prior to the diversion of any water authorized under this permit. The permittee is required to submit an annual report of the monitoring results. Upon review of the annual monitoring results, the State Engineer will retain the right to reduce the pumping from this well or to take any action that may be necessary to protect the public interests or to prevent conflict with prior existing rights or domestic wells. If impacts to existing rights or domestic wells are demonstrated, the applicant or any assignee will be required to mitigate the same.

(Continued on Page 3)

69895

(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.0473** cubic feet per second, **but not to exceed 9.46 acre-feet annually.**

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

August 31, 2011

Proof of completion of work shall be filed on or before:

October 1, 2011

Water must be placed to beneficial use on or before:

August 31, 2016

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

October 1, 2016

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 12th day of **July**, A.D. **2007**

For State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____