

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 01 2003

Returned to applicant for correction OCT 21 2003

Corrected application filed NOV 12 2003

Map filed NOV 12 2003

The applicant **John C. Serpa**, hereby makes application for permission to change the **Point of Diversion, Manner & Place of Use of a portion** of water heretofore appropriated under **Permit 17300, Certificate 5063**

1. The source of water is **Underground**
2. The amount of water to be changed **0.777 cfs, not to exceed 120.00 acre-feet**
3. The water to be used for **Municipal purposes**
4. The water heretofore permitted for **Industrial (gravel plant & domestic)**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T.14N., R.20E., M.D.B.&M. (Basin 105) or at a point from which the NW corner of said Section 5 bears N. 61°21'34" W., a distance of 2952.96 ft.**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T.13N., R.20E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$ corner of said Section 30 bears S. 20°19' W., a distance of 789.65 ft (Basin 105). Refer to map on file under Permit 17300.**
7. Proposed place of use **See Exhibit "A"**.
8. Existing place of use **Portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, T.13N., R.20E., M.D.B.&M. Refer to map on file under Permit 17300.**
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 and pipeline 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: **The water being transferred under this application will be used for municipal purposes within the proposed place of use and ultimately dedicated to Douglas County. Per information received from the Nevada State Engineer's office, the proposed point of diversion is within the Carson Valley Groundwater Basin (Basin 105). This transfer of Permit 17300, Certificate 5063 is being made to comply with the provisions of that certain order dated November 24, 2002 and entered by the 9th Judicial District Court of the State of Nevada.**

By **Gregory M. Bilyeu (Agent)**
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, NV 89521

Compared cmf/ sam ag/ 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, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 17300, Certificate 5063 is issued subject to the terms and conditions imposed in said Permit 17300, Certificate 5063 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 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.

This permit will abrogate Permit 17300, Certificate 5063.

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.

Before any pumping can occur from this well, a monitoring plan must be submitted to and approved by this office.

(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 0.777 cubic feet per second, **but not to exceed 120.0 acre-feet annually.**

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

July 16, 2006

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

August 16, 2006

Water must be placed to beneficial use on or before:

July 16, 2011

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

August 16, 2011

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

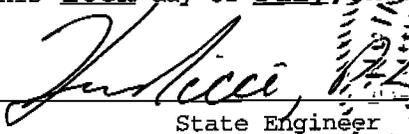
N/A

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

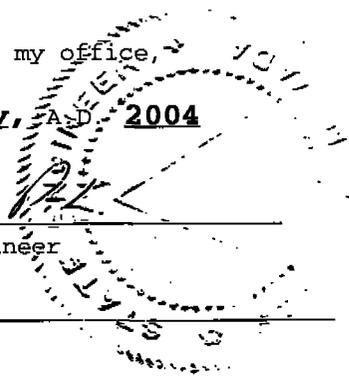
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **16th** day of **July**, A.D. **2004**



State Engineer



Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____ **N/A** _____

Certificate No. _____ Issued _____

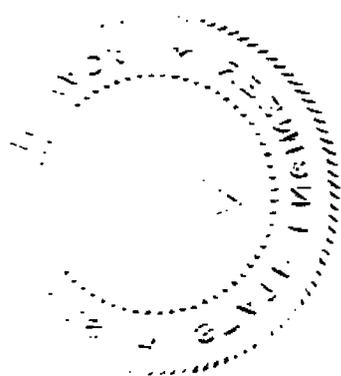


Exhibit "A"

Application 70489

7. Proposed Place of Use

T.14N., R.19E., M.D.B. & M.

Section 2: W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 3: Portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 4: Portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 9: NE $\frac{1}{4}$

Section 10: NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$

Section 12: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$

T.14N., R.20E., M.D.B. & M.

Section 5: W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 6: Portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, excepting that portion located outside of the boundaries of Douglas County, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ east of the easterly right of way boundary of U.S. Highway 395 So., SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 7: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ east of the easterly right of way boundary of U.S. Highway 395 So., SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, portions of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$,

Section 8: N $\frac{1}{2}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 17: NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,

Section 18: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$ (APN 1420-18-401-001)

Section 19: NW $\frac{1}{4}$ NE $\frac{1}{4}$

Refer to Place of Use Map on file under Permit 67951 and to map filed with this application.

0800

