

**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 29 2003  
 Returned to applicant for correction NOV 25 2003  
 Corrected application filed DEC 08 2003  
 Map filed DEC 08 2003

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The applicant **City of Wells** hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit No. 49542**

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1. The source of water is **Underground**
2. The amount of water to be changed **1.0 cfs**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **Municipal**
5. The water is to be diverted at the following point **North 87°27' East 1436ft from the Southwest Corner of Section 9, located in the Southeast Quarter of the Southwest Quarter of said Section 9, Township 37 North, Range 62 East, Mount Diablo Base and Meridian.**
6. The existing permitted point of diversion is located within **NE¼, SW¼, of Section 10 T.37N, R.62E., M.D.B.&M** or at a point from which the NE corner of said Section 10 bears **N44°E** a distance of **3754'**
7. Proposed place of use **Section 1 through 5, 8 through 12, 14 through 17 all within T.37N, R.62E., MDB&M**
8. Existing place of use **Sections 1 through 5, 8 through 12, 14 through 17 all within T.37N, R.62E., MDB&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 **Well, pump and motor, through distribution works**
12. Estimated cost of works **\$500,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **The proposed water right will serve as a redundant water supply for the City of Wells, Nevada. The population served is approx. 1,346 or 700 residential equivalents.**

By **Samuel J. Billin**  
 s/ **Samuel J. Billin (agent)**  
**825 Railroad Street**  
**Elko, Nevada 89801**

Compared sg/cmf ag/ 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 of the waters of an underground source as heretofore granted under Permit 49542 is issued subject to the terms and conditions imposed in said Permit 49542 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.

The total combined duty of water under Permits 48797, 48798, 48801, 48802, 48803, 60976, 62894 and 70579 shall not exceed 2302.16 million gallons annually.

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 1.0 cubic feet per second, but not to exceed 235.906 million gallons annually.

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

April 28, 2006

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

May 28, 2006

Water must be placed to beneficial use on or before:

April 28, 2009

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

May 28, 2009

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

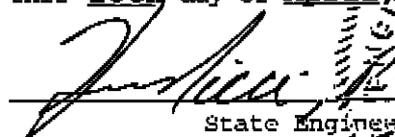
N/A

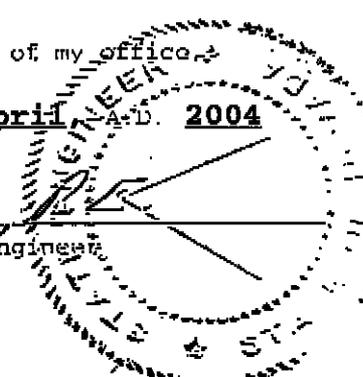
IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of April, A.D. 2004

  
State Engineer



Completion of work Filed \_\_\_\_\_

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

Cultural map filed N/A \_\_\_\_\_

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

