No. 70771

AMENDED
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office **JAN 12 2004**

Returned to applicant for correction **FEB 13 2004**

Corrected application filed **APR 09 2004**

Map filed **APR 09 2004 under 70765**

****

The applicant **TRI Water and Sewer Company** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

****

1. The source of the proposed appropriation is **underground source**

2. The amount of water applied for is **5.0 c.f.s. – 2,000.0 acre feet/annnum** second-feet

   (a) If stored in reservoir give number of acre-feet

3. The water to be used for **Quasi-Municipal Purposes**

4. If use is for:
   (a) Irrigation, state number of acres to be irrigated
   (b) Stockwater, state number and kinds of animals to be watered
   (c) Other use (describe fully under No. 12. "Remarks")
   (d) Power:
      (1) Horsepower developed
      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point **within SW¼ NW¼ Section 11 T19N, R22E, MDM or at a point from with the SW corner of Section 35 T20N, R22E, MDM bears N 14 degrees 07 minutes 58 seconds W, a distance of 8,059.13 feet.**

6. Place of Use **See attached Exhibit "A"**

7. Use will begin about **January 1** and end about **December 31** of each year.

8. Description of proposed works **Drilled and cased well, equipped with motor, pump and pipeline to place of use**

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

10. Estimated time required to construct works **5 years**

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

12. Remarks: **The total combined duty of Application Nos. 70765 through 70773, inclusive, is 18,000 af/annum**

By s/Michael D. Buschelman
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared cmf/sam

Protested

70771

****

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that its approval would conflict with existing rights and would threaten to prove detrimental to the public interest.

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 5 day of July, A.D. 2007

K.C. [signature] P.E.

for State Engineer

Exhibit "A"

Application No. 70771
Applicant: TRI Water and Sewer Company

Item No. 6 - Proposed Place of Use --

T20N, T21E, MDM;
SE1/4 Section 36 lying south of US Interstate Highway 80,

T19N, T21E, MDM;
Section 1 lying south of US Interstate Highway 80,

T20N, T22E, MDM;
Section 31 lying south of US Interstate Highway 80,
Section 32 lying south of US Interstate Highway 80,
Section 33 lying south of the railroad tracks,
Section 34 lying south of the railroad tracks,
Section 35 lying south of the railroad tracks,
Section 36

T19N, R22E, MDM;
Sections 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16,
N1/2 Section 23,
N1/2 Section 24,

T20N, R23E, MDM;
S1/2 Section 29,
S1/2 Section 30,
Section 31,
Section 32

T19N, R23E, MDM;
Sections 5, 6, 7, 8,
W1/2 Section 9,
W 1/2 Section 16,
Sections 17, 18, 19, 20, 21,
W1/2 Section 22,
Sections 29, 30