**NO. 72822**

**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 **MAY 23 2005**

Returned to applicant for correction

Corrected application filed

Map filed **MAY 23 2005 under 72820**

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The applicant **City of Wells,** hereby make **1** application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit Number 48801**

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

2. The amount of water to be changed **0.1448 cubic feet per second**

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 73° 54' 11" East 2014 feet from the South One Quarter Corner of Section 9, Township 37 North, Range 62 East, M.D.B&M and lying in the SE¼ SE¼ of said Section 9**

6. The existing permitted point of diversion is located within **Within the NW¼ SE¼ of Section 4, T.37N., R.62E., MDB&M, or at a point from which the SW corner of Section 4 bears South 61° 04' West, a distance of 3327.87 feet**

7. Proposed place of use **Sections 1-5, 8-12, 14-17 all within Township 37 North, Range 62 East, MDBM.**

8. Existing place of use **Sections 1-5, 8-12, 14-17 all within Township 37 North, Range 62 East, MDBM.**

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 well equipped with pump and motor that will be connected to the City's distribution system**

12. Estimated cost of works **$500,000**

13. Estimated time required to construct works **the well has been completed to a depth of 745 feet hgs under Notice of Intent Number 55026 in March of 2005 and an estimated one year is required to complete additional improvements.**

14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: **The well will serve the City of Wells, Nevada. The City's population is 1,346 residents or about 700 residential equivalents.**

By **Evan G. Fonger**
s/ **Evan G. Fonger**
**825 Railroad Street**
**Elko, Nevada 89801**

Compared **gkl/sam** lt/ **gkl**

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 a portion of the waters of an underground source as heretofore granted under Permit 48801 is issued subject to the terms and conditions imposed in said Permit 48801 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 48797, 48802, 48803, 60976, 62894, 70579, 72142, 72820, 72821 and 72822 shall not exceed 2552.16 million gallons annually.

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 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.

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.

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(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 **0.1448** cubic feet per second.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

**November 3, 2008**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

**November 3, 2011**

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 **3rd** day of **November,** A.D. **2006**

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____