No. 73887

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 FEB 24 2006

Returned to applicant for correction

Corrected application filed

Map filed AUG 06 1992 under 57688

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The applicant **THE FOOTHILLS AT WINGFIELD, LLC** hereby makeS application for permission to change the **POINT OF DIVERSION OF A PORTION** of water heretofore appropriated under **PERMIT 59343**

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

2. The amount of water to be changed **0.0435 CFS NOT TO EXCEED 22.555 ACRE FEET ANNUALLY**

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 **LOT 4, SECTION 7, T.20N., R.21E., M.D.B.&M. OR AT A POINT FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 7 BEARS S. 19° 00' 00" W. A DISTANCE OF 270.0 FEET. SEE MAP SUPPORTING PERMIT 59343 ON FILE WITH THE STATE ENGINEER.**

6. The existing permitted point of diversion is located within **LOT 5, SECTION 6, T.20N., R.21E., M.D.B.&M. OR AT A POINT FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 6 BEARS S. 14° 32' W. A DISTANCE OF 1659.1 FEET (WELL #14). SEE MAP SUPPORTING PERMIT 59343 ON FILE WITH THE STATE ENGINEER.**

7. Proposed place of use **NO CHANGE – SEE ITEM #8**

8. Existing place of use **SEE EXHIBIT "A" ATTACHED HERETO AND MAP SUPPORTING PERMIT 59343 ON FILE WITH THE STATE ENGINEER.**

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 **WATER WILL BE DIVERTED FROM EXISTING WELL INTO EXISTING TMWA DISTRIBUTION SYSTEMS.**

12. Estimated cost of works **EXISTING**

13. Estimated time required to construct works **EXISTING**

14. Estimated time required to complete the application of water to beneficial use **TEN YEARS.**

15. Remarks:

By **ROBERT E. FIRTH**
s/Robert E Firth
360 E. RIVERVIEW CIRCLE
RENO, NV 89509

Compared sg/gkl 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 59343 is issued subject to the terms and conditions imposed in said Permit 59343 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 73885 and 73887 shall not exceed 22.555 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

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 issuance of Permits 73885 and 73887 reduces the total combined duty of Permits 59343, 59344 and 59858 to 108.88 acre-feet annually.

(Continued on page 3)

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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 **0.0435** cubic feet per second, **but not to exceed 22.555 acre-feet annually.**

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

July 30, 2007

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

July 30, 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 **9th** day of **February**, A.D. **2007**

Tracy Taylor, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT A

ITEM 8 - EXISTING [redacted] PLACE OF USE

Township 20 North, Range 20 East, Mount Diablo Meridian

Section 1 - All
Section 2 - All
Section 3 - All
Section 4 - E 1/2
Section 9 - E 1/2
Section 10 - All
Section 11 - All
Section 12 - All
Section 13 - All
Section 14 - All
Section 15 - All
Section 16 - E 1/2
Section 21 - All
Section 22 - All
Section 23 - All

Township 20 North, Range 21 East, Mount Diablo Meridian

Section 5 - All
Section 6 - All
Section 7 - All
Section 8 - All
Section 17 - All
Section 18 - All

Township 21 North, Range 20 East, Mount Diablo Meridian

Section 23 - All
Section 24 - All
Section 25 - All
Section 26 - All
Section 27 - All
Section 34 - All
Section 35 - All
Section 36 - All

Township 21 North, Range 21 East, Mount Diablo Meridian

Section 19 - All
Section 30 - All
Section 31 - All
Section 32 - SW 1/4