

No. 74135

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 APR 07 2006

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed APR 07 2006

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The applicant **Utilities, Inc. of Nevada** hereby makes application for permission to change the **point of diversion** water heretofore appropriated under **permit #65041**

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1. The source of water is **underground**
2. The amount of water to be changed **0.5 c.f.s. 361.82 acre-feet**
3. The water to be used for **same as existing**
4. The water heretofore permitted for **quasi-municipal & domestic**
5. The water is to be diverted at the following point **within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 9, T.21N., R.18E., M.D.M., from which the S.  $\frac{1}{4}$ -section corner of said Section 9 bears S.11 $^{\circ}$ 25'E., 1,246 feet distant.**
6. The existing permitted point of diversion is located within **the NE $\frac{1}{4}$ SW $\frac{1}{4}$  Section 16, T.21N., R.18E., M.D.M. from which the SW corner of said Section 16 bears S.43 $^{\circ}$ 30'30"W., 2,125 feet distant.**
7. Proposed place of **same as existing**
8. Existing place of use **see attached "Exhibit A"**
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; submersible or line shaft pump and motor, storage tanks, pipeline system to services within described service area.**
12. Estimated cost of works **\$150,000.00**
13. Estimated time required to construct works **one year**
14. Estimated time required to complete the application of water to beneficial use **four years**

15. Remarks: **Please send copies of notices and correspondence to the undersigned agent.**

s/ **William A. Nisbet**  
 By **William A. Nisbet, Agent**  
**421 Court Street**  
**Elko, NV 89801**

Compared mt/dl lt/

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 65041 is issued subject to the terms and conditions imposed in said Permit 65041 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 65038, 65039, 65040, 65041, 65046, 65047, 65048, 65049, 65050, 65051, 65052, 65053, 65054 and 65055 shall not exceed 2373.125 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.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other 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.

(Continued on Page 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.50 cubic feet per second, **but not to exceed 361.82 acre-feet annually.**

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

**November 8, 2007**

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

**November 8, 2010**

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 **8th** 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 \_\_\_\_\_

EXHIBIT A

8. Existing place of use:

All of Section 9; W $\frac{1}{2}$  and portions of NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 15; all of Section 16; S $\frac{1}{2}$  SE $\frac{1}{4}$ , S $\frac{1}{2}$  SW $\frac{1}{4}$  and portion of N $\frac{1}{2}$  SE $\frac{1}{4}$  Section 17; portions of NE $\frac{1}{4}$  NE $\frac{1}{4}$  (LOT 9), SE $\frac{1}{4}$  NE $\frac{1}{4}$  (Lot 10), NE $\frac{1}{4}$  SE $\frac{1}{4}$  (Lot 11), SE $\frac{1}{4}$  SE $\frac{1}{4}$  (Lot 12) Section 19; NE $\frac{1}{4}$  and portions of NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 20; N $\frac{1}{2}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , N $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ , portions of SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 21; portions of NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 28; SW $\frac{1}{4}$  SW $\frac{1}{4}$  and portions of SE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ . Section 29; portion of E $\frac{1}{2}$  E $\frac{1}{2}$  (Lots 9, 10, 11, and 12) Section 30; SW $\frac{1}{4}$  SW $\frac{1}{4}$  and portions of NW $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 34 all in T21N, R18E, MDM.