AMENDED **NO. 74140**

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 **MAY 05 2006**

Corrected application filed **JUN 14 2006**

Map filed **JUN 14 2006**

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The applicant **Desert Utilities, Inc.** hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use of a portion** of water heretofore appropriated under **Permit 14458, Certificate 5438 (supplemental to Permit 13959 / Certificate 5437 and Permit 68981)**

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

2. The amount of water to be changed **47.35 A.F.A**

3. The water to be used for **Municipal**

4. The water heretofore permitted for **Irrigation**

5. The water is to be diverted at the following point **SE1/4NE1/4 Section 11, T. 21 S., R. 54 E., M.D.M., or at a point from which the East ¼ corner of said Section 11 bears South 38°49' East, a distance of 1,597 feet. (Gateway Well #2)**

6. The existing permitted point of diversion is located within **NE1/4SE1/4 Section 4, T.20 S., R.53 E., MDM, or at a point from which the E1/4 corner of said Section 4 bears North 14° 03' East., a distance of 103 feet.**

7. Proposed place of use **See Attached**

8. Existing place of use **SW1/4 Section 4 (160 acres), SE1/4 Section 5 (160 acres), T. 20 S., R. 53 E., M.D.M. This Application, along with supplemental Applications 74139 and 74145, removes 9.47 acres of land from irrigation. The acreage to be stripped is the western 9.47 acre of the SW1/4SE1/4 Section 5, T. 20 S., R. 53 E., M.D.M. being an area 312.51 feet wide (E/W) by 1,320 feet long (N/S)**

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, motor, storage tank and water distribution system**

12. Estimated cost of works **In excess of $1,000,000**

13. Estimated time required to construct works **2 years**

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

74140

15. Remarks: **This water is to be used as part of a new service are for Desert Utilities, Inc. Concurrent Applications are being made for several proposed well sites and test hole waivers will be requested as part of a well exploratory drilling program. Successful well locations will be developed for the municipal water system to serve this area.**

By **Bruce R. Scott, Resource Concepts, Inc.**
s/ Bruce R. Scott
340 North Minnesota Street
Carson City, Nevada 89703

Compared **ag/mt**

Protested

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74140

ATTACHMENT TO APPLICATIONS TO CHANGE
74138, 74139, 74140, 74141, 74142, 74143, 74144, & 74145

7. PROPOSED PLACE OF USE:

Section 2: SW¼, W½SE¼, NE¼SE¼, N½SE¼SE¼

Section 3: That portion of the SE¼SE¼ lying east of Nevada State Highway 160

Section 11: NE¼, SW¼, NW¼SE¼, S½NW¼, E½NE¼NW¼, and that portion of the NW¼NW¼ lying west of Nevada State Highway 160

Section 14: N½NW¼

All within T. 21 S., R. 54 E., M.D.M.

Representing Desert Utilities, Inc.'s proposed Gateway Service Area