



THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: ELY MUNICIPAL WATER DEPARTMENT
Source: UNDERGROUND
Basin: STEPTOE VALLEY
Manner of Use: MUNICIPAL
Period of Use: January 1st to December 31st
Priority Date: 05/11/2009

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 78487 is issued subject to the terms and conditions imposed in said Permit 78487 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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 underground water under Permits 45168, 45169, 45170, 54891, 60665, 78698 and 78699 shall not exceed 3034.63 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 point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.68 cubic feet per second or 2664 acre-feet annually.

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

July 6 2011

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

July 6 2015

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 6th day of July, A.D. 2010

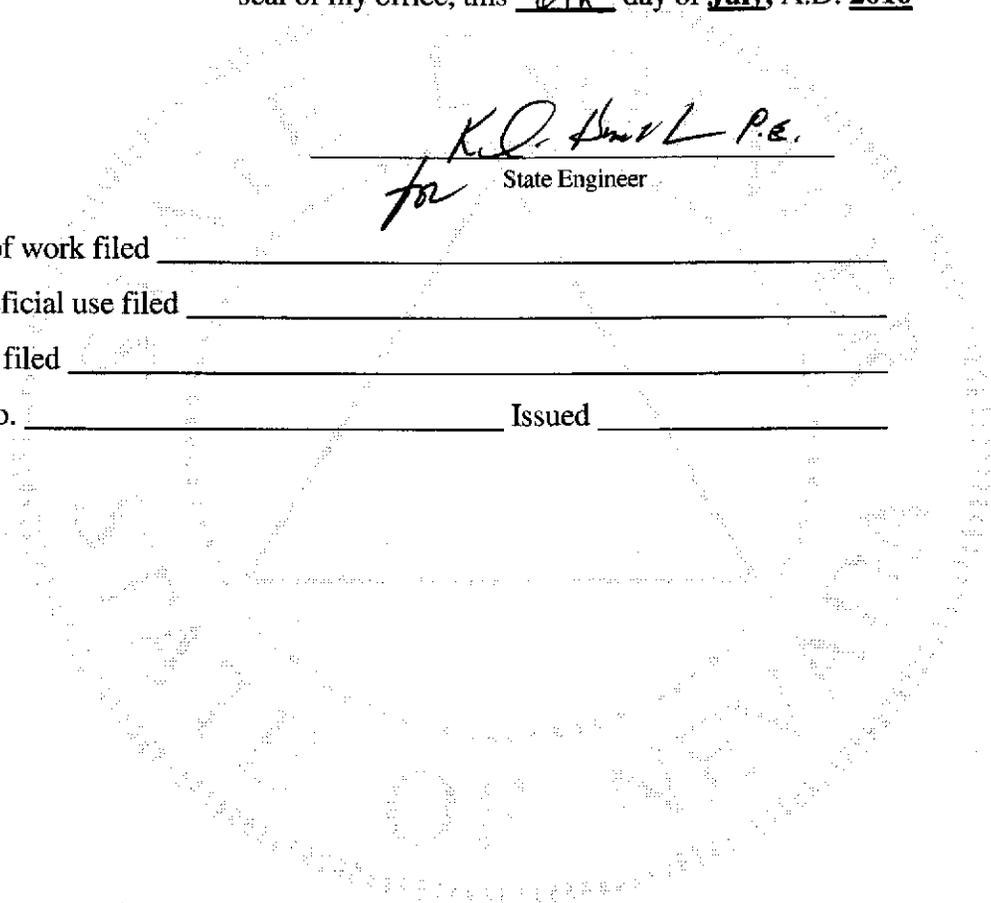
K. Q. King P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____



AMENDED

Application No. 78698

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JUL 02 2009

Returned to applicant for correction JUL 13 2009

Corrected application filed SEP 09 2009 Map filed SEP 09 2009

The applicant Ely Municipal Water Department
501 Mill Street of Ely
Street Address or PO Box City or Town
Nevada 89301 hereby make(s) application for permission to change the
State and ZIP Code

Point of diversion Place of use Manner of use of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Application No. 78487

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 3.68 cfs
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Municipal
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
4. The water heretofore used for Municipal
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
in NW1/4 SW1/4 of Section 11, T.16 N., R.63 E., M.D.B. & M., Whence the Southeast corner of said Section 11 bears S.67°54'39"E., 4,493.00 feet distant.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
in NE1/4 SE1/4 of Section 15, T.16 N., R.63 E., M.D.B. & M., Whence the Southeast corner of said Section 15 bears S.31° 21'E., 2,200.8 feet distant (see Map under Permit 45170).

30'

REL

89087

STATE ENGINEERS

REL

Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
~~See attached and Map under Permit No. 45166~~

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
~~See attached and Map under Permit No. 45166~~

9. Proposed use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Existing use permitted from January 1st to December 31st of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)
Drilled well with pump and pipeline to take the water into the City of Ely municipal water system

12. Estimated cost of works \$1,000,000.00

13. Estimated time required to construct works 3 years

If well completed, describe well.

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

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)
The purpose is to develop a municipal well to supply additional water to the City of Ely system. The decline in water flow from Murry Springs is affecting the City of Ely's ability to supply water to its residents. The municipal well is required to increase the City of Ely's ground water supply as flows from Murry Springs diminishes and to provide additional water supply to the existing wells ensuring adequate water supplies to the City system.

16. Miscellaneous remarks:

The City is requesting 1,650gpm, 24 hours a day, 365 days per year at a total rate of 0.867mga. 867 MGA

REL per letter 11-2-09

dean@summitnv.com
E-mail Address
(775)289-4445
Phone No.

Dean Neubauer, P.L.S.

Type or print name clearly
Dean Neubauer
Signature, applicant or agent

Summit Engineering Corporation
Company Name

824 E. Aultman Street
Street Address or PO Box

Ely, Nevada 89301
City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

STATE ENGINEERS OFFICE

2009 SEP -9 AM 10:06

RECEIVED

ITEM #748 PROPOSED PLACE OF USE

SW ¼ Section 31, T 17 N, R 64 E, MDM

NW ¼ Section 6, T 16 N, R 64 E, MDM

S ½ Section 25; SE ¼ Section 26, E ½ Section 35 & Section 36
all in T 17 N, R 63 E, MDM

Section 1; Section 2; Section 10; Section 11; SW ¼, S ½ NW ¼ & W ½ SE ¼ Section 13;
Section 14; Section 15; Section 16; Section 17; Section 20; Section 21; Section 22;
Section 23; W ½ W ½ Section 24; W ½ Section 25; Section 26; Section 27; N ½ & SE ¼
Section 28; S ½ NE ¼ & NE ¼ NE ¼ Section 29; E ½ Section 33; Section 34; N ½
Section 35 & W ½, W ½ SE ¼ & SW ¼ NE ¼ Section 36, T 16 N, R 63 E, MDM