



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: 05/31/1990

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 and place of use of the waters of an underground source as heretofore granted under Permit 78785 is issued subject to the terms and conditions imposed in said Permit 78785 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.

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.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of underground water under Permit 45168, Certificate 13438; Permit 45169, Certificate 13439; Permit 45170, Certificate 13440; Permits 54891, 60665, 78698 and 78699 shall not exceed 3,035 acre-feet annually.

The total combined duty of surface water under Permit 45166, Certificate 13437; Permit 45624, Certificate 13442; Permit 51397, Certificate 13860; Permits 54874 and 54875 shall not exceed 6,924 acre-feet per year.

(Continued on Page 2)

The total combined duty of surface and underground water under Permit 45166, Certificate 13437; Permit 45168, Certificate 13438; Permit 45169, Certificate 13439; Permit 45170, Certificate 13440; Permit 45624, Certificate 13442; Permit 51397, Certificate 13860; Permits 54874, 54875, 54891, 60665, 78698, 78699, 79837, 79839 and 79841 shall not exceed 9,712 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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.5 cubic feet per second or 362.0 acre-feet annually.**

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

July 30 2011

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

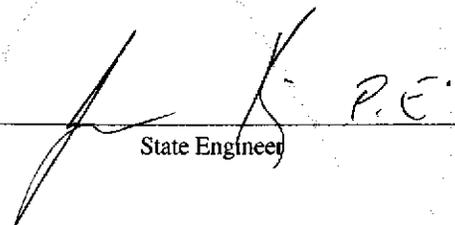
July 30 2020

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 30th day of July, A.D. 2010



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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	<u>MAY 14 2010</u>
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>MAY 14 2010</u>

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. 78785

- The source of water is Underground (RW-6P)
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 0.50 cfs
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Municipal and Domestic
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
- The water heretofore used for Municipal and Domestic
If for stock, state number and kind of animals.
- 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.)
NE1/4 NE1/4 Section 29, T.16 N., R.63 E., M.D.B. & M., or at a point from which the NE corner of Section 21, T.16 N., R.63 E., M.D.B. & M., bears N43°58'43"E., 8,816.91 feet distant.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NW1/4 SE1/4 Section 15, T.16 N., R.62 E., M.D.B. & M., or at a point from which the NE corner of Section 3, T.16 N., R.62 E., M.D.B. & M., bears N07°33'22"E., 13,419.72 feet distant.

179-KIP

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

SW1/4, Section 31, T.17 N., R.64 E.; NW1/4 Section 6, T.16 N., R.64 E.; S1/2 Section 25, and SE1/4 Section 26, and E1/2 Section 35, and Section 36, all in T.17 N., R.63 E.; Sections 1, 2, 10, 11, 14, 15, 16, 17, 20, 21, 22, 23, 26, 27, 34, SW1/4, S1/2NW1/4 & W1/2SE1/4 Section 13, W1/2 W1/2 Section 24, W1/2 Section 25, N1/2 & SE1/4 Section 28, S1/2NE1/4 & NE1/4NE1/4 Section 29, E1/2 Section 33, N1/2 Section 35, W1/2, W1/2SE1/4 & SW1/4NE1/4 Section 36, T.16 N., R.63 E., all in M.D.B. & M.

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.)

All of T.16 N., Rs 62 and 63 E., M.D.B. & M.; the W1/2 of T.16 N., R.64 E., M.D.B. & M.; Sections 1, 2, 11, 12, 13, 14 and the S1/2 of T.17 N., R.62 E., M.D.B. & M.; All of T.17 N., R.63 E., M.D.B. & M.; the W1/2 of T.17 N., R.64 E., M.D. B. & M.; the E1/3 of T.18 N., R.63 E., M.D.B. & M.; Section 2 and the W2/3 of T.18 N., R.64 E., M.D.B. & M.

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 \$3,000,000.00

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.)

Drilled well with pump and pipeline to take the water to the City of Ely then piped through out the place of use. The applicant proposes to use this application to supply municipal water to the City of Ely at the rate of 225 gpm, 24 hours a day, 365 days per year, for a total annual consumption of 118 MGA.

16. Miscellaneous remarks:

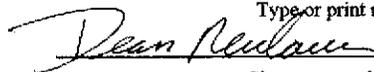
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2010 MAY 14 AM 9:45
STATE ENGINEERS OFFICE

Dean Neubauer, P.L.S.

Type or print name clearly

neubauer2008@live.com

E-mail Address



Signature, applicant or agent

(775)289-9800

Phone No.

Basin 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