ASSIGNED

Serial No. 49106

ORIGINAL

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 JUN 4 1985

Returned to applicant for correction JUN 17 1985

Corrected application filed _____ Map filed JUN 4 1985

The applicant Big Smoky Farms, Inc. A Nevada Corporation

P.O. Box 190 (Street and No. or P.O. Box No.) of Bertrand (City or Town)

Nebraska 68927 (State and Zip Code No.) hereby make application for permission to change the

The Point of Diversion and Place of Use (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Application No.20557/Certificate No. 6080 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is UNDERGROUND (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 4.23 C.F.S. (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
5. The water is to be diverted at the following point Application No.20557 /Certificate No. 6080 To be Diverted S.W.¼ of the S.E.¼ of Sec.13 T.6N.,R.40 E. M.D.B.&M. Bears S.44°54'57"E. 1926.88 ft. to the S.E. Corner of said Section 13 (Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
6. The existing permitted point of diversion is located within N.E.¼ of the S.E.¼ of Section 13 T.6N., R.40 E. M.D.B.&M. at which Application 20557 / Certificate No.6080 Bears N.85°25'E.643 ft. to the East ¼ Corner of said Section 13 (If point of diversion is not changed, do not answer.)
7. Proposed place of use N.W.¼ of the S.E.¼ Section 13 (34.64 ac.) and N.E.¼ of the S.E.¼ Section 13 (34.84 ac.) and S.W.¼ of the S.E.¼ Section 13 (36.54 ac.) and S.E.¼ of the S.E.¼ Section 13 (36.33 ac.), all being in T.6N., R40 E., MDB&M (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use See Attached (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Diversion is an underground well to a pivot stand then thru a 1320' circular sprinkler (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $120,000
13. Estimated time required to construct works Underground well with pivot assembly.

14. Estimated time required to complete the application of water to beneficial use 2 Years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By s/Joseph P. Michon
1000 Bible Way, P.O.Box 7475
Reno, Nevada 89510-7475

Compared mc/jf js/bc

Protested

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 20557, Certificate 6080 is issued subject to the terms and conditions imposed in said Permit 20557, Certificate 6080 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.23 cubic feet per second, but not to exceed 569.4 acre-feet annually, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before March 24, 1988

Proof of completion of work shall be filed before April 24, 1988

Application of water to beneficial use shall be made on or before March 24, 1991

Proof of the application of water to beneficial use shall be filed on or before April 24, 1991

Map in support of proof of beneficial use shall be filed on or before April 24, 1991

Completion of work filed JUN 27 1988

Proof of beneficial use filed DEC 18 1991

Cultural map filed

Certificate No. 13210 Issued JAN 8 1992

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of March, A.D. 19 86

Peter G. Morros
State Engineer

2407 (Rev. 6-81)

Description of

40.0 acres in the NW¼ SE¼ Section 13, T. 6 N., R. 40 E., M.D.B.& M.

40.0 " " " NE¼ SE¼ " " " " "

40.0 " " " SW¼ SE¼ " " " " "

40.0 " " " SE¼ SE¼ " " " " "

37.7 " " " NW¼ NE¼ " 24. " " "

37.6 " " " NE¼ NE¼ " " " " "

31.7 " " " SW¼ NE¼ " " " " "

31.0 " " " SE¼ NE¼ " " " " "

298.0 Total Acres