Second AMENDED

Serial No. 49199

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 AUG 1 1985

Returned to applicant for correction AUG 13 1985

Corrected application filed OCT 25 1985 Map filed OCT 25 1985

The applicant Nevada Carson, Inc.,

Box 277 (Street and No. or P.O. Box No.) of Gardnerville (City or Town)

Nevada 89410 (State and Zip Code No.) hereby make application for permission to change the

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

of water heretofore appropriated under Permit 28335 Certificate 10416 (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 (619.2 AF (1/) 2.7 cfs not to exceed 619.2 AF/Yr. (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for quasi municipal (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for irrigation procedures (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 with the SE 1/4 NW 1/4 Section 33, (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.) T14N, R20E, MDB & M or at a point from which the northwest corner of said Section 33 bears N 30° 57' 42" W a distance of 2708.69 feet.
6. The existing permitted point of diversion is located within same as above. (If point of diversion is not changed, do not answer.)
7. Proposed place of use W 1/2 Sec. 33, T14N, R20E, Portion SE 1/4 SW 1/4 (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) Sec. 28, T.14N., R20E, MDB & M
8. Existing place of use 38.0 AC. NW 1/4 NW 1/4, 38.9 acres in NE 1/4 NW 1/4, (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.) 39.1 ac. in SW 1/4 NW 1/4, and 38.8 ac. SE 1/4 NW 1/4 all in Sec. 33 T14N, R20E, MDB & M. Total 154.8 ac.
9. Use will be from 1 January (Month and Day) to 31 December (Month and Day) of each year.
10. Use was permitted from 1 January (Month and Day) to 31 December (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.) existing well, pressure tank and distribution (cross flow potential to Mt. View Water System.) (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 $200,000
13. Estimated time required to construct works 10 years

(1/) the total combined delivery of water granted under this original certificate.

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
Water will be used for the following per approved tentative subdivision map: 251 Single Family HOmes @ 1000 GPD = 281.16 ac-ft/yr.
22.87 acres Commercial @ 1000 GPD/acre= 25.62 ac-ft/yr.
22.0 net acres Park @ 4.0 ac-ft/ac = 88.00 ac-ft/yr.
394.78 ac-ft/yr.
Future use (units to be defined at later date) = 224.42 ac-ft/yr.
TOTAL = 619.2 ac-ft/yr.
Comsumptive use based on DWR requirements, if actual consumption is less, applicant wishes to add additional units or make applications to change the unused portion to another use.

Compared jm/js js/se

By LUMOS & ASSOCIATES
s/ David M. Boyer
3100 MILL STREET , Suite 114
RENO, NEVADA 89502

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 place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 28335, Certificate 10416 is issued subject to the terms and conditions imposed in said Permit 28335, Certificate 10416 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.

The total combined duty of water under Permits 49237 and 49199 shall not exceed 617.2 acre-feet annually.

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 2.652 cubic feet per second, but not to exceed 617.2 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 17, 1987

Proof of completion of work shall be filed before July 17, 1987

Application of water to beneficial use shall be made on or before June 17, 1990

Proof of the application of water to beneficial use shall be filed on or before July 17, 1990

Map in support of proof of beneficial use shall be filed on or before July 17, 1990

Completion of work filed MAR 25 1988

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of June, A.D. 1986

State Engineer

2407 (Rev. 6-81) wdr 3-26-97

Abrogated By port 53095 0.246 cfs, 60209 1.4913

Abrogated By port 54498 0.92 cfs wdr 3-26-97

M. Flier per wdr 56047 1.0611 cfs

54721 0.106 cfs wdr 3-26-97