

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 28 1989

Returned to applicant for correction

Corrected application filed Map filed APR 28 1989 under 53192

The applicant Lands of Sierra, Inc.

50 West Liberty #720 of Reno City or Town

Nevada 89501 State and Zip Code No.

hereby make s application for permission to change the

point of diversion and place of use of a portion Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit # 36378 (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
2. The amount of water to be changed 2.0 cfs
3. The water to be used for Irrigation & Domestic
4. The water heretofore permitted for Irrigation
5. The water is to be diverted at the following point within the NW 1/4 SW 1/4 Section 22, T 40 N, R 69 E, MDM, from which the NE corner of Section 15 of said township bears N31° 07'36" E distance to a section corner. If on unsurveyed land, it should be stated. 9320.40 feet distance (same point of diversion as Permit #17265)
6. The existing permitted point of diversion is located within the SW 1/4 SW 1/4 Section 26, T40 N, R69E, MDM, from which the SW corner of said section bears S 45° W, 100 feet distance
7. Proposed place of use T40 N, R 69 E, MDM, portions of Sections 13,14,15,16,21,22,23, 24,26,27,28 & E 1/2 of Sections 17,20 and 29, or approximately 2,600 acres
8. Existing place of use 213.3 acres within Sections 26, T 40 N, R 69 E, MDM
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. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled & cased well, turbine pump driven by electric motor, underground large diameter inter-connecting pipeline system, "Laser-leveled" lands to be irrigated by controlled release into "check" units pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$30,000.00
13. Estimated time required to construct works Two Years

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

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

Applicant is co-mingling the water and place of use for seven certificated rights and, additionally, applying for changes of several new permitted points of diversion within the greater place of use boundary. Please send copies of all correspondence and notices to undersigned agent.

By...s/ William A. Nisbet Agent
421 Court
Elko, Nevada 89801

Compared..... pm/ CC..... bp/se

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 a portion of the waters of an underground source as heretofore granted under Permit 36378 is issued subject to the terms and conditions imposed in said Permit 36378 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 total combined duty of Claim 01864, Permit 2552, Certificate 478; Permit 2964 and Permits 53193 through 53204, inclusive shall not exceed 13,024.8 acre-feet annually for the irrigation of 3256.2 acres within the described place of use. A total of 1,132.91 acres of this land is supplemental to a surface water source. Any application to change the manner of use or place of use under either the surface water rights or the groundwater rights will require additional consideration and evaluation. Under no circumstances will any change be allowed that would result in an expansion of the total combined duty of 13,024.8 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed..... 2.0..... cubic feet per second, but not to exceed 853.33 acre-feet annually, and 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..... May 27, 1990.....

Proof of completion of work shall be filed before..... June 27, 1990.....

Application of water to beneficial use shall be made on or before..... May 27, 1991.....

Proof of the application of water to beneficial use shall be filed on or before..... June 27, 1991.....

Map in support of proof of beneficial use shall be filed on or before..... June 27, 1991.....

Completion of work filed..... AUG 10 1990..... IN TESTIMONY WHEREOF, I, MICHAEL TURNIPSEED, P.E.,

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my office, this..... 19th..... day of..... March.....

Cultural map filed..... A.D. 19..... 90.....

Certificate No. Issued.....
CANCELED JAN 05 1998 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Michael Turnipseed PE
State Engineer

RESIGNED
Cop. Rescinded. See Stipulation + Order
filed 7-10-2000