

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 Nevada 89501

hereby make application for permission to change the point of diversion and place of use

of water heretofore appropriated under Permit # 49554

1. The source of water is Underground

2. The amount of water to be changed 3.0 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 NE 1/4 NW 1/4 Section 27, T 40 N, R 69 E, MDM, from which the NE corner of Section 15 of said township bears N 18° 01' E, 12,022.50 feet distance (same point of diversion as permit #17267)

6. The existing permitted point of diversion is located within NW 1/4 NE 1/4 Section 21, T 40 N, R 69 E, MDM, from which the NW corner of said section bears N 80° 38' W 3,337 feet distance

7. Proposed place of use T 40 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 460 acres within portions of Sections 21, 22 & 23, T40N, R69E, 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

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 the waters of an underground source as heretofore granted under Permit 49554 is issued subject to the terms and conditions imposed in said Permit 49554 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 3.0 cubic feet per second, but not to exceed 1840 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 R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed my office, this 19th day of March

Cultural map filed A.D. 19 90

Certificate No. Issued State Engineer

RESCINDED 2407 JAN 05 1998 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Cap. Rescinded - See Stipulation + Order filed 7/10/2000.

Signature of R. Michael Turnipseed, P.E. State Engineer