

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 MAY 26 1989
Corrected application filed JUN 02 1989 Map filed JUN 02 1989 under 53205

The applicant Lands of Sierra, Inc.

50 West Liberty #720 of Reno
Street and No. or P.O. Box No. City or Town

Nevada 89501 hereby make S. application for permission to change the
State and Zip Code No.

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

of water heretofore appropriated under Permit 23732 (Certificate 7766)
(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 1.5 cfs
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Irrigation & Domestic
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 within the SE 1/4 NE 1/4 Section 35, T.42 N, R 68 E,
Describe as being within a 40-acre subdivision of public survey and by course and
MDM, from which the N 1/4 section corner of said section bears N 30° 30' W. 2,685 ft.
distance to a section corner. If on unsurveyed land, it should be stated.
dist.

6. The existing permitted point of diversion is located within the NW 1/4 SE 1/4 Section 35, T 42 N, R 68 E,
MDM, from which the established NE corner of the
point of diversion is not changed, do not answer
SW 1/4 SW 1/4 Section 36 of said township bears S 68° 37' 53" E 3,014.39 feet distance

7. Proposed place of use Portions of Section 1, T 41 N, R 68 E, MDM, Portions of Section
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
6 & 7, T 41 N, R 69 E, MDM, Portions of Section 35 & 36, T 42 N, R 68 E, MDM
Totaling 439.6 acres

8. Existing place of use portions of Sections 35 & 36, T 42 N, R 68 E, MDM, totaling 96.0
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
acres Sec 35: NW 1/4 SE 1/4: 0.8 Ac; NE 1/4 SE 1/4: 27.6 Ac; SW 1/4 SE 1/4: 1.2 Ac; SE 1/4 SE 1/4: 36.2
manner of use of irrigation permit, describe acreage to be removed from irrigation.
Ac. Sec 36: NW 1/4 SW 1/4: 12.2 Ac; SW 1/4 SW 1/4: 18.0 Ac.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

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 and cased well, turbine pump driven
State manner in which water is to be diverted, i.e., diversion structure, ditches,
by electric motor, pipeline system and wheel line sprinkler system
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 one certificated right, and applying for two new points of diversion of permitted rights to supply the greater place of use boundary. Please send copies of all correspondence and notices to undersigned agent.

Bys/William A. Nisbet
421 Court Street, Elko, Nevada 89801

Compared bk/ se jr/bk

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify 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, manner of use and place of use of the waters of an underground source as heretofore granted under Permit 23732, Certificate 7766 is issued subject to the terms and conditions imposed in said Permit 23732, Certificate 7766 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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 water under Permits 53206, 53207 and 53208 shall not exceed 1758.4 acre-feet annually.

Permits 53206, 53207 and 53208 are totally supplemental to surface rights which are appurtenant to the proposed place of use.

(CONTINUED ON PAGE 2)

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

exceed..... 1.5..... cubic feet per second....., ~~but not to exceed 384.0~~
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..... October 5, 1996

Proof of completion of work shall be filed before..... November 5, 1996

Application of water to beneficial use shall be made on or before..... October 5, 1998

Proof of the application of water to beneficial use shall be filed on or before..... November 5, 1998

Map in support of proof of beneficial use shall be filed on or before..... November 5, 1998

Completion of work filed..... DEC. 04 1996..... IN TESTIMONY WHEREOF, I..... R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed..... DEC 04 2000..... State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this..... 5th..... day of..... October

Certificate No. 15851 Issued..... SEP 27 2001..... A.D. 19..... 95

[Handwritten Signature]
State Engineer

(PERMIT TERMS CONTINUED)

The well drilled under Permit 23732, Certificate 7766 must be plugged in accordance with Chapter 534 of the Nevada Administrative Code within 60 days from the issuance of this permit.

