

AMENDED

Serial No. 53820

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 31 1989
Returned to applicant for correction... OCT 9 1989
Corrected application filed... OCT 11 1989 Map filed MAR 14 1986 under 45275

The applicant Lee Smith, also known as Lee S. Smith
Post Office Box 8266, of Incline Village, Nevada
Street and No. or P.O. Box No. City or Town
89450 State and Zip Code No. hereby make s application for permission to change the

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

of water heretofore appropriated under Permit No. 38485, Well #2
(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 - Well No. 2
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.05 second feet
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Industrial and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Quasi-Municipal and Domestic
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 E 1/4 of SW 1/4 of SE 1/4 Section 3, T20N, R24E, MDB&M, or at a point from which the S 1/4 corner of Section 3, T20N, R24E, MDB&M bears S 40° 34' 34" W, 1281.74 feet.
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.
If point of diversion is not changed, do not answer

7. Proposed place of use a portion of E 1/4 of SW 1/4 of SE 1/4 Section 3, T20N, R24E, MDB&M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use W 1/4 SE 1/4 Section 3, T20N, R.24E, M.D.B. & M.
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 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 well 150 feet deep, 3 inch turbine pump, 15 H. P. engine, 400 feet 2" PVC pipe, 500 feet 1 1/2" PVC PIPE, plus lateral piping for distribution.
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 \$7,000.00

13. Estimated time required to construct works two years

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

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

..... Industrial and Domestic Use. Dust control, washing of sand and gravel in  
..... lowering sand hill to grade for Phase II excavation and Industrial uses.

..... Please see P.B.U. map with permit No. 45275. Said uses not to exceed  
..... 1.6425 million gallons annually.

Bys/ Lee Smith Lee S. Smith  
Lee Smith aka Lee S. Smith  
P. O. box 8266,  
Incline Village, Nev., 89450

Compared pm/ db bp/vw

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 manner of use of the waters of an underground source as heretofore granted under Permit 38485 is issued subject to the terms and conditions imposed in said Permit 38485 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.

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 water under Permits 45275, Certificate 11904; 46536, Certificate 11906; 53379, 53820 and 54195 shall not exceed 6.57 million gallons 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.....0.05.....cubic feet per second, but not to exceed 3.285 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... July 16, 1990

Proof of completion of work shall be filed before..... August 16, 1990

Application of water to beneficial use shall be made on or before..... July 16, 1991

Proof of the application of water to beneficial use shall be filed on or before..... August 16, 1991

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... AUG 14 1990 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

Proof of beneficial use filed..... JUL 11 1991 State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this..... 16th day of..... May

Certificate No. 13065 Issued OCT 14 1991 A.D. 19..... 90

*R. Michael Turnipseed*  
State Engineer