Serial No. 54344

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 JAN 17 1990

Returned to applicant for correction MAR 2 1990

Corrected application filed ..... Map filed JUL 6 1988 under 52014

The applicant Esther Bennett

1146 Fordham Drive (Street and No. or P.O. Box No.) of Davis (City or Town)

California 95616 (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 No. 28129 (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 Source (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 0.23 C.F.S. or 19.42 million gallons annually (Second feet, acre feet. One second foot equals 448.3 gallons per minute.)
3. The water to be used for Mining (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Mining, milling 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 SE¼SE¼ Sec. 34., T29N., R34E., M.D.B.&M., or (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.) at a point from which the SE corner of said Section 34 bears S. 38°22'E., a distance of 568.0 feet.
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 NW¼SW¼ Sec. 31., T29N., R35E., M.D.B.&M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Lots 7, 8, 11 and 12 of Section 1, T28N., R34E., 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 1st (Month and Day) to December 31st (Month and Day) of each year.
10. Use was permitted from January 1st (Month and Day) to December 31st (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.) Well, pump and distribution 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 $2,000.00
13. Estimated time required to construct works The well is 143 feet deep, with 12 inch casing.

14. Estimated time required to complete the application of water to beneficial use 5 years

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

Please use the assigned map to support this application.

By s/Esther Bennett
ESTHER BENNETT
1146 FORDHAM DRIVE
DAVIS, CALIFORNIA 95616

Compared bc/bp am/se

Protested 5/31/90 by I.R.D. Inc.

Pro. overruled 12-11-91,
Ruling No. 3855

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 place of use and manner of use of the waters of an underground source as heretofore granted under Permit 28129, Certificate 11593 is issued subject to the terms and conditions imposed in said Permit 28129, Certificate 11593 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 total combined duty of water under Permits 54342, 54343, 54344 and 54345 shall not exceed 60 million gallons annually.

(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 0.23 cubic feet per second, but not to exceed 19.42 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 11, 1993

Proof of completion of work shall be filed before March 11, 1993

Application of water to beneficial use shall be made on or before February 11, 1995

Proof of the application of water to beneficial use shall be filed on or before March 11, 1995

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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 11th day of February, A.D. 19 92

R. Michael Turnipseed P.E.
State Engineer

CANCELLED AUG 19 2000 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[signature], P.E.
STATE ENGINEER

(Rev. 6-81)

(O)-1108

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This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the State Engineer's Ruling No. 3855, dated December 11, 1991.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from each well and the amount of water used.

Any well used under this permit must conform with all applicable regulations in the Nevada Administrative Code - "Regulations for Water Well and Related Drilling".