

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 JUL 27 1990

Returned to applicant for correction

Corrected application filed Map filed JUL 27 1990 under 55118

The applicant Timothy W. and Patricia H. Hess

745 Greg Street, Suite 2 of Sparks, Nevada 89431

hereby make application for permission to change the Point of Diversion and Place of Use

of water heretofore appropriated under a portion of Permit No. 30116

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 16 A.F. - 0.08890 C.F.S.

3. The water to be used for irrigation and domestic

4. The water heretofore permitted for irrigation and domestic

5. The water is to be diverted at the following point within the SE 1/4 NW 1/4 Section 3, T.22N., R.21E., M.D.M., at a point from which the west 1/4 corner of said Section 3 bears South 66° 32' 11" West, 1480.52 feet.

6. The existing permitted point of diversion is located within NW 1/4 NW 1/4 Section 16, T.22N., R.21E., M.D.M. at a point from which the southwest corner of said Section 16 bears South 10° 56' 12" West, 4079.29 feet (Well No. 5).

7. Proposed place of use the SE 1/4 NW 1/4 Section 3, T.22N., R.21E., M.D.M. - 4.0 acres - the exact location to be determined later.

8. Existing place of use southerly 4.0 acres of Parcel 82 as tabulated and depicted on that certain map entitled "Exhibit Map Supporting the Conveyance of Water Rights by MCO Properties, Inc. - Palomino Valley, Nevada" dated February 15, 1986, filed with the State Engineer on February 19, 1986.

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.) Well, pump and pipeline.

12. Estimated cost of works \$30,000

13. Estimated time required to construct works 3 years

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:

For existing Point of Diversion and Place of Use see Map No. 28071 in
the Office of the State Engineer.

By s/George G. Lindesmith
George G. Lindesmith
801 Greenbrae Drive
Sparks, Nevada 89431

Compared bc/cc jr/vjw

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 30116, Certificate 10586 is issued subject to the terms and conditions imposed in said Permit 30116, Certificate 10586 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 55119 and 57175 shall not exceed 20.0 acre-feet annually and limited to the irrigation of 5.0 acres within the described place of use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0889 cubic feet per second, but not to exceed 16.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 6, 1996

Proof of completion of work shall be filed before November 6, 1996

Application of water to beneficial use shall be made on or before October 6, 1999

Proof of the application of water to beneficial use shall be filed on or before November 6, 1999

Map in support of proof of beneficial use shall be filed on or before November 6, 1999

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 6th day of October

A.D. 19 94

[Signature]
State Engineer

Abrogated By Part 64270 0.0 244 cert. 12/9/01