Serial No. 55658

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 22 1991

Returned to applicant for correction MAR 25 1991

Corrected application filed ..... Map filed SEP 18 1989 under 53671

The applicant M. DANIEL MALO AND CHERYL L. MALO

10400 BIG HORN DRIVE (Street and No. or P.O. Box No.) of RENO, (City or Town)

NEVADA 89506 (State and Zip Code No.) hereby make.... application for permission to change the

POINT OF DIVERSION AND PLACE OF USE (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under A PORTION OF PERMIT NO. 30118, CERTIFICATE NO. 10588 - (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

PARCEL 66 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 0.03868 CFS OR 28.0 A.F.A. (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for IRRIGATION AND DOMESTIC (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for IRRIGATION 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 NW¼ OF SE¼ OF SECTION 15, T.22N., (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.)
   R.21E., M.D.M. AT A POINT FROM WHICH THE CENTER ONE-QUARTER CORNER OF SAID SECTION 15 BEARS NORTH 66 45' 54" WEST, 1284 FEET.
6. The existing permitted point of diversion is located within THE NW¼ OF NW¼ OF SECTION 16, T.22N., (If point of diversion is not changed, do not answer.)
   R.21E., M.D.M. AT A POINT FROM WHICH THE SW CORNER OF SAID SECTION 16 BEARS SOUTH 10 56' 12" WEST, 4079.29 FEET (WELL-5)
7. Proposed place of use NW¼ OF SE¼ OF SECTION 15, T.22N., R.21E., M.D.M. - 7.0 ACRES (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
   THE EXACT LOCATION TO BE DETERMINED LATER.
8. Existing place of use SW¼ OF NE¼ OF SECTION 9, T.22N., R.21E., M.D.M. PARCEL 66 - AS TABULATED AND DEPICTED ON THAT CERTAIN MAP ENTITLED "EXHIBIT MAP (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.)
   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 (Month and Day) to DECEMBER 31 (Month and Day) of each year.
10. Use was permitted from JANUARY 1 (Month and Day) to DECEMBER 31 (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 PIPELINE (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 $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:

SEE MAP NO. 28071 FOR EXISTING POINT OF DIVERSION AND PLACE OF USE.
REMARKS
FOR PROPOSED POINT OF DIVERSION AND PLACE OF USE SEE MAP NO. 53671

By s/George G. Lindesmith
GEORGE G. LINDESMITH
801 GREENBRAE DRIVE
SPARKS, NEVADA 89431

Compared bc/bc ap/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 a portion of the waters of an underground source as heretofore granted under Permit 30118, Certificate 10588 is issued subject to the terms and conditions imposed in said Permit 30118, Certificate 10588 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 53674, 55657, 55658 and 55659 shall not exceed 40.0 acre-feet annually for the irrigation of 10 acres within the NW¼ SE¼, Section 15, T.22N., R.21E., M.D.B.&M.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.03868 cubic feet per second, but not to exceed 28.0 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 November 17, 1994

Proof of completion of work shall be filed before December 17, 1994

Application of water to beneficial use shall be made on or before November 17, 1997

Proof of the application of water to beneficial use shall be filed on or before December 17, 1997

Map in support of proof of beneficial use shall be filed on or before December 17, 1997

Completion of work filed SEP 19 1994

Proof of beneficial use filed JAN 20 1999

Cultural map filed JAN 20 1999

Certificate No. 15951 Issued DEC 03 2001

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 17th day of November, A.D. 19 92

State Engineer