TEMPORARY

Serial No. 55758 T

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 FEB 6 1991

Returned to applicant for correction

Corrected application filed Map filed FEB 6 1991 under 55676

The applicant Desert Pearl Farms

430 Highway 339 (Street and No. or P.O. Box No.) of Yerington (City or Town)

Nevada 89447 (State and Zip Code No.) hereby make.... application for permission to change the

point of diversion and place of use of a portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit No. 19114 (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 0.90 CFS. 260 AF. (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for irrigation and domestic purposes (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for irrigation and domestic purposes (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 in the SE¼ of the NW¼, Section 36 T 13N (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 25E M.D.M., from which point the NW corner of said Section 36 bears N 37° 20' 11" W a distance of 2326.69 feet.
6. The existing permitted point of diversion is located within the SW¼ of the SE¼ of Section 31 (If point of diversion is not changed, do not answer.) T 13N R 26E M.D.M., from which point the SW corner of said Section 31 bears S 88° 58' 15" W a distance of 3341.53 feet.
7. Proposed place of use SE ¼ NW ¼, NE ¼ NW ¼, SW ¼ NE ¼, SE ¼ NE ¼, NE ¼ SE ¼, NW ¼ (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) NE ¼, NW ¼ SE ¼ all in Section 36 T 13N R 25E; SW ¼ NW ¼, NW ¼ SW ¼, all in Section 31 T 13 N R 26E M.D.M.; 65 acres.
8. Existing place of use NW ¼ SE ¼, SW ¼ SE ¼, NE ¼ SW ¼, SE ¼ SW ¼, all in Section 31 (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.) T 13N R 26E M.D.M., 65 acres.
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.) Existing well, pump and irrigation (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.) system.
12. Estimated cost of works $60,000.00
13. Estimated time required to construct works 2 years

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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:

Water is to be comingled with application no. 54842. Final location of permitted acreage to be determined with proof of beneficial use.

By s/ James J. Peri
James J. Peri
P.O. Box 35
Yerington, NV 89447

Compared am/ pm am/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 temporary 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 19114, Certificate 5882 is issued subject to the terms and conditions imposed in said Permit 19114, Certificate 5882 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 temporary 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 54842 and 55758-T shall not exceed 892.32 acre-feet.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on April 15, 1991 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.9 cubic feet per second, but not to exceed 260 acre-feet seasonally, and not to exceed a seasonal 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

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

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Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

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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 16th day of April, A.D. 19 91

State Engineer

(O)-1108 (Rev. 6-81)