Serial No. 56322

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 MAY 16 1991

Returned to applicant for correction

Corrected application filed Map filed MAY 16 1991

The applicant Calton M. and Carole E. Lewis

P. O. Box 501 of Elko
Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make s application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use for a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 48296
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 0.87 cfs
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 SW¼ NW¼ of Section 35, T33N, R55E, MDB&M., at a point from which the NW corner of said Section 35 bears N 16° 32' 15" W, 1687.14 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 NE¼ SW¼ of Section 35, T33N, R55E, MDB&M., at a point from which the NW corner of said Section 35 bears N 24° 20' 00" W, 2990.00 feet.
If point of diversion is not changed, do not answer.

7. Proposed place of use Portions of S½ NW¼, NW¼ NW¼, N½ SW¼ Section 35 and portions of SE¼ NE¼, NE¼ SE¼ of Section 34, T33N, R55E, MDB&M. (Lots 14, 15 & 16 of Western Hills Subdivision.) (128.452 acres)
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Portions of S½ NW¼, N½ SW¼ of Section 35 and portions of NE¼ SE¼ of Section 34, T33N, R55E, MDB&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.) Well, Pipeline and Sprinkler 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 $15,000

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:

These waters are supplemental to all prior water rights of record.

By HIGH DESERT Engineering, Agent
s/Duane V. Merrill
Duane V. Merrill
515 South Fifth Street
Elko, NV 89801

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 48296 is issued subject to the terms and conditions imposed in said Permit 48296 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 48296 and 56322 shall not exceed 126 acre-feet annually.

The place of use of Permits 48296 and 56322 is limited to the irrigation of 42 acres.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.87 cubic feet per second, and not to exceed a yearly duty of 3.0 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 May 23, 1993

Proof of completion of work shall be filed before June 23, 1993

Application of water to beneficial use shall be made on or before May 23, 1994

Proof of the application of water to beneficial use shall be filed on or before June 23, 1994

Map in support of proof of beneficial use shall be filed on or before June 23, 1994

Completion of work filed JUN 1 - 1993

Proof of beneficial use filed JUL 07 1994

Cultural map filed JUL 07 1994

Certificate No. 14314 Issued MAY 01 1996

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 22nd day of December, A.D. 19 92

R. Michael Turnipseed P.E.
State Engineer