Serial No. 56329

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 17 1991

Returned to applicant for correction

Corrected application filed Map filed MAY 17 1991 under 56327

The applicant Penoyer Farms, Ltd.

Star Route Box 39 of Alamo
Street and No. or P.O. Box No. City or Town

Nevada (89001) hereby make.... application for permission to change the
State and Zip Code No.

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 44229
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 Well No. 1
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.15 cfs not to exceed 112.0 acre feet per annum
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 SW¼ SW¼ Section 24, T3S, R54E,
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.
MDM, or at a point from which the Southwest corner of said Section 24 bears, S 66° 54' 31" W a distance of 272.28 feet.

6. The existing permitted point of diversion is located within NE¼ SE¼ Section 29, T3S, R55E, MDM, or
If point of diversion is not changed, do not answer.
at a point from which the East one-quarter corner of said Section 29 bears, N 40° 00' E a distance of 300.0 feet.

7. Proposed place of use Portion of SW¼ Section 24, T3S, R54E, MDM.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 22.4 acres in the SE¼ Section 29, T3S, R55E, MDM.
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.) Drill well, install pump, motor, meter and pipeline to raincircle for irrigation 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 $100,000

13. Estimated time required to construct works One Year

14. Estimated time required to complete the application of water to beneficial use Two Years

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

This water is to be commingled with Permits 36437, 36440 and 42570 to irrigate 125 acres. The total diversion will be 2.48 and the duty 4.85 acre feet per acre, which is necessary to grow the alfalfa crop in this area.

By s/Richard W. Arden Agent
950 Industrial Way
Sparks, NV (89431)

Compared bc/ bc ab/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 44229 is issued subject to the terms and conditions imposed in said Permit 44229 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 36437, 36440, 42570, 56328 and 56329 shall not exceed 573.71 acre-feet annually for the irrigation of 125 acres of land.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.11 cubic feet per second, but not to exceed 79.5 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 23, 1994

Proof of completion of work shall be filed before October 23, 1994

Application of water to beneficial use shall be made on or before September 23, 1996

Proof of the application of water to beneficial use shall be filed on or before October 23, 1996

Map in support of proof of beneficial use shall be filed on or before October 23, 1996

Completion of work filed NOV 18 1994

Proof of beneficial use filed NOV 21 1996

Cultural map filed FEB 03 1992

Certificate No. 14476 Issued DEC 10 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 23rd day of September, A.D. 19 93

R. Michael Turnipseed P.E.
State Engineer