

TEMPORARY

AMENDED

Serial No. 57709 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 MAY 28 1992

Returned to applicant for correction

Corrected application filed Map filed

The applicant Key Farms, Inc.

P.O. Box 8 of Orovada City or Town

Nevada 89425 State and Zip Code No. hereby make application for permission to change the

Point of Diversion Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 29714 Certificate 9975 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 2.609 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation 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 Lot 1 Section 4, T.42N., R.37E., Describe as being within a 40-acre subdivision of public survey and by course and

M.D.B.&M. or at a point from which the NE corner of said Section 4 bears N distance to a section corner. If on unsurveyed land, it should be stated.

45° E 300.00'

6. The existing permitted point of diversion is located within SW 1/4 SW 1/4 Section 34, T.43N., R.37E., If point of diversion is not changed, do not answer.

M.D.B.&M., or at a point from which the SW corner of said Section 34 bears

S 86° 30' W 1256.7 feet.

7. Proposed place of use See Exhibit A Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See Exhibit A 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 March 15th to November 15th of each year. Month and Day Month and Day

10. Use was permitted from March 15th to November 15th 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.) drilled well, pipelines, ditches, and State manner in which water is to be diverted, i.e. diversion structure,

irrigation system. ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works

13. Estimated time required to construct works

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

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

This request for a temporary change of the point of diversion is necessary because the existing well does not produce water in sufficient quantity for the forth coming irrigation season.

By s/ Robert N. Caldwell Robert N. Caldwell, Agent 146 W. Second Street Winnemucca, Nevada 89445

Compared ap/vjw ap/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 temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 29714, Certificate 9975 is issued subject to the terms and conditions imposed in said Permit 29714, Certificate 9975 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 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 August 11, 1993 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 2.609 cubic feet per second, but not to exceed 769 acre-feet per season.

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.....

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 12th day of August

A.D. 19 92 [Signature] State Engineer

TEMPORARY

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EXPIRED

DATE 8/11/93

Exhibit ADescription of land to which the water is appurtenant:

33.79 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T.42N., R.37E., M.D.B.&M.
33.79 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T.42N., R.37E., M.D.B.&M.
33.79 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T.42N., R.37E., M.D.B.&M.
33.79 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, T.42N., R.37E., M.D.B.&M.
40.00 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T.43N., R.37E., M.D.B.&M.
39.10 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T.43N., R.37E., M.D.B.&M.
36.60 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T.43N., R.37E., M.D.B.&M.
40.00 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T.43N., R.37E., M.D.B.&M.
39.10 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
36.70 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
36.70 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.10 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.10 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.40 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.40 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.10 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
36.50 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
38.80 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
35.40 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
40.00 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
37.90 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M.
39.40 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T.43N., R.37E., M.D.B.&M.
39.40 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T.43N., R.37E., M.D.B.&M.
986.46 acres total