

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 SEP 28 1992

Returned to applicant for correction OCT 20 1992

Corrected application filed NOV 03 1992 Map filed NOV 03 1992

The applicant MARTIN WIND ENTERPRISES, INC.

4869 Bradley Rd. #18-B-125 of Santa Maria

California 93455 hereby make application for permission to change the

Point of Diversion, Place and Manner of Use of a Portion

of water heretofore appropriated under Permit #31040 (Certificate #9187)

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

2. The amount of water to be changed 0.05 c.f.s. (NTE 12 A/F Annually)

3. The water to be used for Commercial & Domestic

4. The water heretofore permitted for Irrigation & Domestic

5. The water is to be diverted at the following point SE 1/4 SE 1/4, Section 8, T.17N., R.23E., M.D.B.&M., at a point from which the S 1/4 corner of said Section 8 bears S. 82° 42' W., 1962.20 feet.

6. The existing permitted point of diversion is located within SW 1/4 NE 1/4, Section 17, T.17N., R.23E., M.D.B.&M., at a point from which the E 1/4 corner of said Section 17 bears S. 84° 22' 44" E., a distance of 2552.0 feet.

7. Proposed place of use SE 1/4 SE 1/4, Section 8, T.17N., R.23E., M.D.B.&M.

8. Existing place of use 39 Acres, SW 1/4 NE 1/4; 39 Acres. SE 1/4 NE 1/4; 2 Acres. NE 1/4 SE 1/4; SW 1/4 NE 1/4 of said Section 17 to be removed from irrigation as shown on supporting map under this Application. Area to be stripped is more specifically identified as being those water rights appurtenant to Lot 16 of the Silver Valley Subd., Lyon County, Nevada.

9. Use will be from January 1st to December 31st of each year.

10. Use was permitted from January 1st to December 31st 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.) a drilled and cased well, equipped with a motor, pump and distribution system.

12. Estimated cost of works \$60,000.00

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use..... 10 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 utilized for dedication and development of commercial and residential property within the Proposed Place of Use. Annual consumptive use is estimated at 3.91⁺ M.G.A.

By s/Greg M. Bilyeu
THIEL, WINCHELL & ASSOCIATES, INC.
34 Lakes Boulevard, Suite 101
Dayton, Nevada 89403

Compared bc/bc jr/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 permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 31040, Certificate 9187 is issued subject to the terms and conditions imposed in said Permit 31040, Certificate 9187 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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.05 cubic feet per second, but not to exceed 12.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 20, 1996

Proof of completion of work shall be filed before October 20, 1996

Application of water to beneficial use shall be made on or before September 20, 1999

Proof of the application of water to beneficial use shall be filed on or before October 20, 1999

Map in support of proof of beneficial use shall be filed on or before October 20, 1999

JAN 08 1997

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 20th day of September

A.D. 19 94

[Signature]
State Engineer