

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 NOV 20 1992

Returned to applicant for correction.....

Corrected application filed..... Map filed NOV 20 1992

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

of water heretofore appropriated under Permit 44228
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. 5
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 1.28 cfs, not to exceed 270 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 SW1/4 SW1/4 Section 29, T3S, R55E, MDM, or
Describe as being within a 40-acre subdivision of public survey and by course and
at a point from which the West one quarter corner of said Section 29 bears N 15°
distance to a section corner. If on unsurveyed land, it should be stated.
50' 00" W a distance of 2690.00 feet.
6. The existing permitted point of diversion is located within NW1/4 SW1/4 Section 29, T3S, R55E,
If point of diversion is not changed, do not answer.
MDM, or at a point from which the West one quarter corner of said Section 29 bears
N 43° 42' W a distance of 100.0 feet.
7. Proposed place of use 54 acres in the NW1/4 Section 29, T3S, R55E, MDM.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use 54 acres in the NW1/4 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 and motor, pipeline
State manner in which water is to be diverted, i.e. diversion structure,
and center pivot irrigation system.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works \$160,000.00
13. Estimated time required to construct works Completed

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 is a portion of the water to irrigate two 125 acre circle center pivots.~~

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

Compared nsr/jv cl/bk

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 of the waters of an underground source as heretofore granted under Permit 44228 is issued subject to the terms and conditions imposed in said Permit 44228 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 58340, 58341 and 58342 shall not exceed 1250.0 acre-feet annually for the irrigation of 250 acres.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to

exceed 1.28 cubic feet per second, but not to exceed 270.0 acre-feet annually, and not to exceed a yearly duty of 5.0 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 September 23, 1996

Proof of completion of work shall be filed before October 23, 1996

Application of water to beneficial use shall be made on or before September 23, 1998

Proof of the application of water to beneficial use shall be filed on or before October 23, 1998

Map in support of proof of beneficial use shall be filed on or before October 23, 1998

Completion of work filed NOV 21 1997

Proof of beneficial use filed DEC 01 1999

Cultural map filed DEC 01 1999

Certificate No. 15493 Issued AUG 09 2000

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 February

A.D. 19 96

R. Michael Turnipseed
State Engineer

(PERMIT TERMS CONTINUED)

Any well drilled, or any exploratory hole drilled under Permit 19054 which was changed by Permit 44228, must be plugged within sixty (60) days of the date of this notice in compliance with Nevada Division of Water Resources' "Regulations for Water Well and Related Drilling" adopted January, 1990. A well is not required to be plugged when the well is utilized for domestic use to serve a single family residence in compliance with Nevada Water Law.