

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. FEB 1 - 1993

Returned to applicant for correction.

Corrected application filed. Map filed FEB 1 - 1993

The applicant Burns Brothers, Inc.

621 Southeast Union Ave. of Portland

Oregon 97214 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 56227 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 .046 c.f.s. Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for Commercial Purposes 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 NE 1/4 NW 1/4 of Section 33, T.33N., R.35E., M.D.B.&M.; or at a point from which the West 1/4 corner of said Section 33 bears S 36° 46' 28" W 3198.7 feet.

6. The existing permitted point of diversion is located within The NE 1/4 NW 1/4 of Section 33, T.33N., R.35E., M.D.B.&M.; or at a point from which the West 1/4 corner of said Section 33 bears S 43° 38' W 2360.0 feet.

7. Proposed place of use portions of the West 1/4 of Section 33, T.33N., R.35E., M.D.B.&M.; specifically: NE 1/4 NW 1/4, NW 1/4 NW 1/4, SE 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4 of Section 33, T.33N., R.35E., M.D.B.&M.

8. Existing place of use portions of the West 1/4 of Section 33, T.33N., R.35E., M.D.B.&M. specifically: NE 1/4 NW 1/4, NW 1/4 NW 1/4, SE 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4 of Section 33, T.33N., R.35E., M.D.B.&M.

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.) well, pump, motor, pipelines, storage tank and distribution system

12. Estimated cost of works \$50,000.00

13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use 3 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 application is to change the point of diversion of a well that was drilled yet did not produce sufficient water.

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

Compared ap/gk1 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 of the waters of an underground source as heretofore granted under Permit 56227 is issued subject to the terms and conditions imposed in said Permit 56227 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 total combined duty of water under Permits 44275, Certificate 13463; 57710; 57711 and 58505 shall not exceed 8.96 million gallons annually.

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 0.046 cubic feet per second, but not to exceed 8.96 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 26, 1994

Proof of completion of work shall be filed before February 26, 1994

Application of water to beneficial use shall be made on or before January 26, 1997

Proof of the application of water to beneficial use shall be filed on or before February 26, 1997

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUN 30 1995

Proof of beneficial use filed APR 03 1998

Cultural map filed _____

Certificate No. 15087 Issued DEC 21 1998

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 28th day of June

A.D. 19 93
[Signature]
State Engineer