AMENDED **NO.58579**

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 **MAR 03 1993**

Returned to applicant for correction **MAR 17 1993**

Corrected application filed **MAR 30 1993**

Map filed **MAR 30 1993 under 58577**

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The applicant **Harry Ronald Horlacher**, hereby makes application for permission to change the **point of diversion and place of use** of water heretofore appropriated under **permit No. 39810**

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1. The source of water is **underground**

2. The amount of water to be changed **2.7 CFS**

3. The water to be used for **Irrigation and domestic purposes**

4. The water heretofore permitted for **Irrigation and domestic purposes**

5. The water is to be diverted at the following point **SW¼ NE¼ of Section 5, T.02S., R.68E. M.D.B.&M. or at a point from which the North ¼ corner of said section 5 bears North 15 degrees 50 minutes 29 seconds West a distance of 1,438.23 feet.**

6. The existing permitted point of diversion is located within **NW¼ NE¼ of Section 5, T.02S., R.68E. M.D.B.&M. or at a point from which the North ¼ corner of said section 5 bears North 2 degrees 3 minutes West a distance of 1,047.2 feet.**

7. Proposed place of use **19.75 acres NW¼ SW¼, 34.58 acres NE¼ SW¼, 23.59 acres SW¼ NW¼, 40.00 acres SE¼ NW¼, 20.5 acres within Lot 4, 34.99 acres within Lot 2, 15.19 acres SW¼ NE¼ and 1.61 acres in the NW¼ SE¼ of Sec. 05. T.2S., R.68E., M.D.B.&M.**

8. Existing place of use **108.02 acres NW¼, 65.68 acres N½ SW¼ and 16.51 acres S½ NW¼ of SEC. 5, T.2S., R.68E. M.D.B.&M. for a total of 190.21 acres.**

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

10. Use was permitted from **January 1** to **December 31** of each year.

11. Description of proposed works **Drilled well to underground distribution system**

12. Estimated cost of works **$20,000.00**

13. Estimated time required to construct works **1 year**

14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: **This water will be comingled with water under applications to change filed on existing permit No's 35859 and 35860 Use map under Permit 35859 for existing point of diversion and place of use.**

By **s/Harry Ronald Horlacher**
Harry Ronald Horlacher
4001 Darwin Avenue
Bakersfield, CA 93306

Compared **dl/cmf** dl/cmf

Protested

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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 the waters of an underground source as heretofore granted under Permit 39810 is issued subject to the terms and conditions imposed in said Permit 39810 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 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 58577, 58578 and 58579 shall not exceed 531.3 acre-feet annually.

Any well drilled under Permit 39810 shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of this permit.

Permits 58577, 58578 and 58579 are issued for the irrigation of 106.26 acres within the described place of use.

(CONTINUED ON PAGE 3)

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(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **2.7** cubic feet per second, **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:

May 3, 2000

Proof of completion of work shall be filed before:

June 3, 2000

Water must be placed to beneficial use on or before:

May 3, 2001

Proof of the application of water to beneficial use shall be filed on or before:

June 3, 2001

Map in support of proof of beneficial use shall be filed on or before:

June 3, 2001

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 **3rd** day of, **December** A.D. **1999**

State Engineer

by Christine Thiel, P. E., Deputy State Engineer

Completion of work filed FEB 08 2001

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____