

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. JUL-12-1994 NEW PRIORITY DATE: SEP 21 1999

Returned to applicant for correction.

Corrected application filed. Map filed JUL 12 1994

The applicant Irwin S. Soper

Montgomery Lodge of via Benton

CA 93512 hereby make S application for permission to change the

Point of Diversion and Place of Use

of water heretofore appropriated under Permit #49700

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. .033 sec. feet

3. The water to be used for. Commercial & domestic (Commercial major use)

4. The water heretofore permitted for. Commercial & Domestic

5. The water is to be diverted at the following point. SW 1/4 of SW 1/4 of Sec. 33, T2N, R33E, MDB&M from which point the SW corner of said Sec. 33 bears S 11° 16' 49" W 684.12'

6. The existing permitted point of diversion is located within. SE 1/4 of SE 1/4 of Sec. 32, T2N, R33E, MDB&M from which point the SE corner of said Sec. 32 bears S 89° 00' 27" E 1004.37'

7. Proposed place of use. SW 1/4 of SE 1/4 - SE 1/4 of SE 1/4 Sec. 32, T2N, R33E, and Lot 1, Sec. 5, T1N, R33E, MDB&M

8. Existing place of use. SE 1/4 of SE 1/4 and SW 1/4 of SE 1/4 of Sec. 32, T2N, R33E, MDB&M, Mineral 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.) Well, submersible pumps, and pipelines

12. Estimated cost of works.

13. Estimated time required to construct works. completed

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

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 serving a restaurant/casino; 25 unit motel; 12 cabins; 3 homes; and landscaping for all the above

By s/Lowell D. Emery
Lowell D. Emery SWRS, Agent
P.O. Box 84
Fallon, NV 89407

Compared bc/bc cl/cms

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 and place of use of the waters of an underground source as heretofore granted under Permit 49700 is issued subject to the terms and conditions imposed in said Permit 49700 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 60207 and 60208 shall not exceed 6.4 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 0.033 cubic feet per second, but not to exceed 6.4 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 14, 1998

Proof of completion of work shall be filed before July 14, 1998

Application of water to beneficial use shall be made on or before June 14, 1999

Proof of the application of water to beneficial use shall be filed on or before July 14, 1999

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

Completion of work filed AUG 05 1998

Proof of beneficial use filed JAN 14 2000

Cultural map filed.....

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 17th day of June

A.D. 19 97
R. Michael Turnipseed PE
State Engineer

Certificate No. 15393 Issued MAR 06 2000
CANCELED SEP 09 1999
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMITS

can rescinded 7-14-00