

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 OCT 20 1994

Returned to applicant for correction DEC 28 1994

Corrected application filed Map filed 21 May 90 Proposed under 54855 Existing under 54726 filed 19 Jun 90

The applicant Demar Dahl Company L.L.C.

P.O. Box 67 of Deeth Nevada 89823 Street and No. or P.O. Box No. City or Town State and Zip Code No.

hereby make application for permission to change the place of use and point of Diversion of a portion of water heretofore appropriated under permit no. 54727

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 An Underground Source
2. The amount of water to be changed 21.241 Ac.ft.
3. The water to be used for Quasi-municipal and Domestic
4. The water heretofore permitted for unchanged
5. The water is to be diverted at the following point the SW 1/4-NW 1/4 of Sec. 35, T. 19N, R. 28E, M.D.B. & M., from a point that bears S 75 05' 54"E a distance of 1723.92 feet to the C 1/2 corner of said Sec. 35.
6. The existing permitted point of diversion is located within the SE 1/4-SW 1/4 of Sec. 26, T. 19N, R. 28E M.D.B. & M. from a point that bears S64 06' 34"W a distance of 2734.18 feet to the SW corner of Sec. 26, T. 19N, R. 28E M.D.B. & M.
7. Proposed place of use A portion of the SW 1/4-NW 1/4, SE 1/4-NW 1/4 of Sec. 35, T. 19N, R. 28E M.D.B. & M.
8. Existing place of use A portion of SE 1/4-SW 1/4, NE 1/4-SW 1/4, NW 1/4-SE 1/4, SW 1/4-SE 1/4 of Sec. 26, T. 19N, R. 28E M.D.B. & M.
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. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well, pump, and distribution system.
12. Estimated cost of works \$20,000.00
13. Estimated time required to construct works 3 years

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The total combined duty of this application and the accompanying application shall not exceed 6.92 million gallons annually (21.241 Ac.ft.). The above 6.92 million gallons annually shall be combined with the duty of water under Permits 54855 and 54856 for a total of 28.10 million gallons annually.

The existing place of use is shown on the map to accompany Permit no. 54726 and the proposed place of use is shown on the map to accompany Permit no. 54855.

By s/Barry A. Fitzpatrick
Barry A. Fitzpatrick S.W.R.S. #817
137 Keddie Street
Fallon, Nevada 89406

Compared jk/ gkl cl/jr

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 a portion of the waters of an underground source as heretofore granted under Permit 54727 is issued subject to the terms and conditions imposed in said Permit 54727 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 54855, 54856, 60591 and 60592 shall not exceed 28.1 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 total combined duty of water under Permits 60591 and 60592 shall not exceed 6.92 million gallons annually.

(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 0.08 cubic feet per second, but not to exceed 6.92 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 4, 1996

Proof of completion of work shall be filed before December 4, 1996

Application of water to beneficial use shall be made on or before November 4, 1997

Proof of the application of water to beneficial use shall be filed on or before December 4, 1997

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

Completion of work filed MAY 16 1997

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 9th day of April

A.D. 19 96

[Signature of R. Michael Turnipseed, P.E.]
State Engineer

AGENT WITHDRAWN BY APPLICANT JAN 14 2002

[Signature of Justice, P.E.]
STATE ENGINEER

(PERMIT TERMS CONTINUED)

Any well drilled under this permit shall be drilled in what has been described in the United States Geological Survey Water Supply Paper 2263 as the intermediate alluvial aquifer. In no instance shall the seal on this well be less than 100 feet below ground level.

