

**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 JAN 08 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 08 1997

The applicant Key Farms, Inc., hereby makes application for permission to change the point of diversion of water heretofore appropriated under Permit No. 58561

1. The source of water is underground
2. The amount of water to be changed 0.5 c.f.s.
3. The water to be used for irrigation
4. The water heretofore permitted for irrigation
5. The water is to be diverted at the following point within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B.&M. or at a point from which the SE corner of said Section 33 bears S 31 $^{\circ}$ 05' 20" E a distance of 2,074.12 feet.
6. The existing permitted point of diversion is located within Lot 1 of Section 4, T.42N., R.37E., M.D.B.&M. or at a point from which the NE corner of said Section 4 bears N 45 $^{\circ}$ E a distance of 300.00 feet.
7. Proposed place of use unchanged
8. Existing place of use See Exhibit "A" attached hereto.
9. Use will be from March 15 to November 15 of each year.
10. Use was permitted from March 15 to November 15 of each year.
11. Description of proposed works drill well; install pump, motor, pipelines, ditches, and irrigation system
12. Estimated cost of works in excess of \$20,000
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:

By s/John H. Milton III
Desert Mountain Surveying as agent
John H. Milton III, PLS, SWRS
146 West Second Street
Winnemucca, NV 89445

Compared my/bk dl/cms

Protested _____

62720

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 58561 is issued subject to the terms and conditions imposed in said Permit 58561 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 total combined duty of water under Permits 12452, Certificate 4477; 19836, Certificate 6843; 23638, Certificate 8296; 24791, Certificate 7428; 26987, Certificate 8160; 29710, Certificate 9972; 29711, Certificate 9973; 29713, Certificate 9974; 29716, Certificate 9976; 29718, Certificate 9977; 29720, Certificate 9978; 29722, Certificate 9979; 29724, Certificate 9980; 29725, Certificate 9981; 62720, and 62721 shall not exceed 3,949.44 acre-feet 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 appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, and not to exceed a seasonal duty of 4.0 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:

June 19, 1999

Proof of completion of work shall be filed before:

July 19, 1999

Application of water to beneficial use shall be filed on or before:

June 19, 2000

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

July 19, 2000

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

July 19, 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 18th day of September, A.D. 1998

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

Completion of work filed SEP 05 2000

Proof of beneficial use filed MAY 08 2001

Cultural map filed MAY 08 2001

Certificate No. 15769 Issued MAY 17 2001

Application to Change Permit 58561
Exhibit "A"

Item 8.

39.4 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T.43N., R.37E., M.D.B. & M.
39.4 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T.43N., R.37E., M.D.B. & M.
38.3 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B. & M.
36.4 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B. & M.
38.3 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B. & M.
37.3 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T.43N., R.37E., M.D.B. & M.

229.1 Total Acres

