TEMPORARY

NO. 63040 T

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 APR 17 1997

Returned to applicant for correction APR 29 1997

Corrected application filed

Map filed JUL 01 1997 under 63014

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The applicant **Nevada First Corporation**, hereby makes application for permission to change the **place of use of a portion** of water heretofore appropriated under **Permit No. 26970 Certificate 8531**

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

2. The amount of water to be changed **1.094 cfs**

3. The water to be used for **irrigation and domestic use**

4. The water heretofore permitted for **irrigation and domestic use**

5. The water is to be diverted at the following point **unchanged SE¼ NW¼ of Section 30, T.37N., R.40E., MDB&M or at a point from which the SE corner of said Section 30 bears S 33°14' E a distance of 4,732.0 feet**

6. The existing permitted point of diversion is located within **the SE¼ NW¼ of Section 30, T.37N., R.40E., M.D.B.&M. or at a point from which the SE corner of said Section 30 bears S 33°14' E a distance of 4,732.0 feet.**

7. Proposed place of use **63.48 acres in Section 25, T.37N., R.39E., M.D.B.&M.**

8. Existing place of use **38.35 acres in the NW¼ NW¼, 39.39 acres in the NE¼ NW¼, 39.00 acres in the SW¼ NW¼, 39.70 acres in the SE¼ NW¼, 39.39 acres in the NW¼ NE¼, 38.26 acres in the NE¼ NE¼, 40.00 acres in the SW¼ NE¼, and 39.39 acres in the SE¼ NE¼, all within Section 30, T.37N., R.40E., M.D.B.&M., a total of 313.48 acres (63.48 acres to be removed)**

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 **install pipeline and an irrigation system**

12. Estimated cost of works **in excess of $10,000**

13. Estimated time required to construct works **90 days**

14. Estimated time required to complete the application of water to beneficial use **N/A**

15. Remarks: **The map filed under Application 63021 supports this application.**

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

Compared cl/jr cl/cms

Protested

63040-T

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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 temporary permit to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 26970 Certificate 8531 is issued subject to the terms and conditions imposed in said Permit 26970 Certificate 8531 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary 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 63040-T, 63041-T, 63042-T, 63043-T, 63044-T, 63045-T, 63046-T and 63047-T shall not exceed 581.72 acres.

The total combined duty of water under Permits 26484 Certificate 8529, 26968 Certificate 8530, 26970 Certificate 8531, 29042 Certificate 8575, 29043 Certificate 8576, 29044 Certificate 8577, 29045 Certificate 8578, 29046 Certificate 8579, 63040-T, 63041-T, 63042-T, 63043-T, 63044-T, 63045-T, 63046-T and 63047-T shall not exceed 7,360.0 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 19, 1998, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.094** cubic feet per second, **but not to exceed 190.44 acre-feet annually, and not to exceed a yearly duty of 3.0 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:

Proof of completion of work shall be filed before:

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

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

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

TEMPORARY

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 **20th** day of **November**, A.D. **1997**

R. Michael Turnipseed P.E.
State Engineer

EXPIRED
DATE OCT 07 1998