

NO. 63072

**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 MAY 01 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 13 1997 under 63064

The applicant Ray Seher, hereby makes application for permission to change the Point of Diversion and Place of Use of water heretofore appropriated under a portion of Permit 30109, Certificate 10579

1. The source of water is underground
2. The amount of water to be changed 0.04 cfs, 4.0 acre feet annually
3. The water to be used for Irrigation and Domestic
4. The water heretofore permitted for Irrigation and Domestic
5. The water is to be diverted at the following point the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, T.22N., R.21E., M.D.M., or at a point from which the Northeast corner of said Section 9 bears North 64 $^{\circ}$ 50' East a distance of 2940 feet.
6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, T.23N., R.21E., M.D.M., or at a point from which the Southwest corner of said Section 32 bears South 41 $^{\circ}$ 59' 42" West a distance of 3915.67 feet. (Well #1)
7. Proposed place of use within the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, T.22N., R.21E., M.D.M.. (1.0 acres, the exact location to be determined later.)
8. Existing place of use 1.0 acre within the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32, T.23N., R.21E., M.D.M.. The westerly 1.0 acre of Parcel 4 as depicted and tabulated on that certain map entitled "EXHIBIT MAP SUPPORTING THE CONVEYANCE OF WATER RIGHTS BY MCO PROPERTIES, INC., PALOMINO VALLEY, NEVADA" filed February 19, 1986 in the Office of the Nevada State Engineer. (Map NO. 28071)
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, pump and distribution system.
12. Estimated cost of works \$50,000.00
13. Estimated time required to construct works 3 years
14. Estimated time required to complete the application of water to beneficial use 5 years

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15. Remarks: See Map No. 63064 for proposed point of division and place of use. This application would allow the use of water on land owned by Edward J. and Constance G. Hayes per the terms of the agreement to be filed prior to the issuance of a new permit.

By s/George G. Lindesmith
Tri State Surveying
1926 E. Prater Way
Sparks, Nevada 89434

Compared my/cms jr/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 a portion of the waters of an underground source as heretofore granted under Permit 30109, Certificate 10579 is issued subject to the terms and conditions imposed in said Permit 30109, Certificate 10579 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 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 63064, 63065, 63072, 63074, 63222, 63223, 63455 and 63456 shall not exceed 92.0 acre-feet annually.

This permit is limited to the irrigation of 1.0 acre within the described place of use.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.04 cubic feet per second, but not to exceed 4.0 acre-feet annually, and not to exceed a yearly 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:

September 3, 1998

Proof of completion of work shall be filed before:

October 3, 1998

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

September 3, 2000

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

October 3, 2000

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

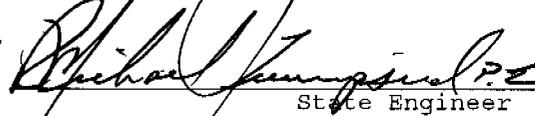
N/A

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 7th day of April, A.D. 1998

Abrogated By 66180-T 0.048 7/1/01


State Engineer

Completion of work filed OCT 15 1998

Proof of beneficial use filed OCT 16 2000

Cultural map filed OCT 16 2000 ^{under} 63064

Certificate No. 15934 Issued DEC 03 2001