

**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 29 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 29 1997 under 63151

The applicant Loy T. Powell and Joyce A. Powell, hereby make application for permission to change the point of diversion and place of use, for a portion of water heretofore appropriated under Permit 26283, Certificate 7987

1. The source of water is an underground source
2. The amount of water to be changed 0.071 C.F.S., not to exceed 25.9 A.F.A..
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 within the NE. $\frac{1}{4}$ SW. $\frac{1}{4}$ of Section 23, T.16S., R.48E., M.D.M., or at a point from which the SW. corner of said Section 23 bears S 44° 21' 58" W., a distance of 1893 feet.
6. The existing permitted point of diversion is located within the NW. $\frac{1}{4}$ NW. $\frac{1}{4}$ of Section 18, T.16S., R.48E., M.D.M., or a point from which the NW. corner of said Section 18 bears N 87° 46' W, a distance of 1277 feet.
7. Proposed place of use 93.91 acres within the SW. $\frac{1}{4}$ of Section 23, T.16S., R.48E., M.D.M..
8. Existing place of use 5.18 acres within the SE. $\frac{1}{4}$ SW. $\frac{1}{4}$ of Section 18, T.16S., R.48E., M.D.M., and more particularly described as Parcel 1 on Parcel Map F-31885, Nye County Records, APN. 19-101-10.
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 A 26' dia. drilled well with a 16' dia. X 497' deep steel casing and a 75 hp. turbine pump.
12. Estimated cost of works \$30,000
13. Estimated time required to construct works 2 years.
14. Estimated time required to complete the application of water to beneficial use 5 years.
15. Remarks:

By Loy T. Powell
s/Loy T. Powell
HCR. 69, Box 451-G
Amargosa Valley, Nv, 89020

Compared my/cms dl/cms

Protested _____

63153

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 26283, Certificate 7987 is issued subject to the terms and conditions imposed in said Permit 26283, Certificate 7987 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 62918, 62919, 63151, 63152, 63153, and 63174 shall not exceed 559.8 acre-feet annually for the irrigation of 111.96 acres within the described place of use.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.066 cubic feet per second, **but not to exceed 23.9 acre-feet annually, and not to exceed a yearly duty of 5.0 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:

October 1, 2000

Proof of completion of work shall be filed before:

November 1, 2000

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

October 1, 2003

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

November 1, 2003

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

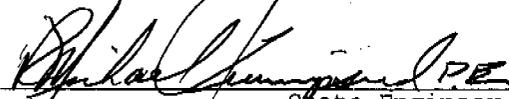
November 1, 2003

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 1st day of October, A.D. 1998


State Engineer

Completion of work filed NOV 27 2000

Proof of beneficial use filed APR 25 2001

Cultural map filed APR 25 2001

Certificate No. 15763 Issued MAY 15 2001