NO. 63664

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 DEC 30 1997

Returned to applicant for correction

Corrected application filed

Map filed DEC 30 1997

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The applicant Granite Peak Properties, L.C. hereby makes application for permission to change the place of use of a portion of water heretofore appropriated under Permit No. 49819

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1. The source of water is Underground Sources - Well No. 1

2. The amount of water to be changed 1.89 cfs 339 Acre Feet

3. The water to be used for Irrigation & Domestic

4. The water heretofore permitted for Irrigation & Domestic

5. The water is to be diverted at the following point in the NW1/4 NE1/4 of Section 25, T.10N., R.70E., M.D.B.&M., whence the West 1/4 Corner of said Section 25 bears S.63°46'49"W., 3,055.58 feet distant.

6. The existing permitted point of diversion is located within

7. Proposed place of use portions of the following: Section 13: Lots 12 - 19; Section 24: SW1/4, S1/2 NW1/4, SW1/4 NE1/4, W1/2 SE1/4, Lots 2 - 8 and 13 - 16; Section 25: E1/2 NW1/4, W1/2 NE1/4 and Lots 4, 5, 6 & 7; All in T.10N., R.70E., M.D.B.&M., 113 acres.

8. Existing place of use E1/2 NW1/4; W1/2 NE1/4; Lots 4, 5, 6 and 7; All in Section 25, T.10N., R.70E., M.D.B.&M., 113 acres.

9. Use will be from January 1st to December 31st of each year.

10. Use was permitted from January 1st to December 31st of each year.

11. Description of proposed works Drilled well, pump, motor, mainlines and sprinkler system.

12. Estimated cost of works $75,000.00

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:

s/Richard W. Forman
By Richard W. Forman Agent
P.O. Box 150
Ely, NV 89301

Compared gkl/cms cl/cms

Protested

63664

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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 permit to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 49819 is issued subject to the terms and conditions imposed in said Permit 49819 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. 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 63664 through 63691, inclusive, shall not exceed 3,480.0 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.

Issuance of Permits 63664 through 63667 shall totally abrogate Permits 49819 and 49820.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.89** cubic feet per second, **but not to exceed 339.0 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:
July 18, 2000

Proof of completion of work shall be filed before:
August 18, 2000

Application of water to beneficial use shall be filed on or before:
July 18, 2002

Proof of the application of water to beneficial use shall be filed on or before:
August 18, 2002

Map in support of proof of beneficial use shall be filed on or before:
August 18, 2002

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 **26th** day of **May**, A.D. **1998**

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____