AMENDED

ASSIGNED

NO. 64420

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 AUG 26 1998

Returned to applicant for correction SEP 15 1998

Corrected application filed SEP 18 1998

Map filed SEP 18 1998

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The applicant Garrett Van Diest, Inc., hereby makes application for permission to change the point of diversion and place of use of a portion of water heretofore appropriated under Permit 45775 Certificate 14165

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1. The source of water is underground

2. The amount of water to be changed 0.0159 cfs--4 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 within the NE¼ of the NW¼ of Section 6, T.35N., R.38E., M.D.B.&M. or at a point from which the N¼ corner of said Section 6 bears N 86° 38' 23" E a distance of 463.63 feet.

6. The existing permitted point of diversion is located within the SW¼ SE¼ of Section 7, T.34N., R.38E., M.D.B.&M. or at a point from which the SE corner of said Section 7 bears S 61° 14' 12" E a distance of 2,266.62 feet.

7. Proposed place of use one acre within the NE¼ of the NW¼ of Section 6, T.35N., R.38E., M.D.B.&M.

8. Existing place of use 17.355 acres within the NE¼ SW¼ of Section 12, T.34N., R.37E., M.D.M.; 3.185 acres within the SE¼ SW¼ of Section 12, T.34N., R.37E., M.D.M.; 4.23 acres within the NW¼ SE¼ of Section 12, T.34N., R.37E., M.D.M., of which one acre is to be moved.

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 existing well, submersible pump, pressure tank, additional pipelines, and drip and sprinkler systems

12. Estimated cost of works $10,000

13. Estimated time required to construct works 2 years; existing domestic well drilled in 1980 with pump and pressure tank

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks:

By Jonathan R. Caldwell, PLS, SWRS, as agent
s/Jonathan R. Caldwell
146 West Second Street
Winnemucca, NV 89445

Compared my/bk hf/cmf

Protested

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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 point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 45775, Certificate 14165 is issued subject to the terms and conditions imposed in said Permit 45775, Certificate 14165 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.

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(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.0159** 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, 2001

Proof of completion of work shall be filed before:

October 3, 2001

Water must be placed to beneficial use on or before:

September 3, 2003

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

October 3, 2003

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

October 3, 2003

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **2nd** day of, **November** A.D. **2000**

Hugh Ricci, P.E.

State Engineer

Completion of work filed OCT 3 1 2001

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____