

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 SEP 29 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 29 1998

The applicant Amargosa Development, Inc., dba Amargosa Farms, hereby makes application for permission to change the Point of Diversion and Place of Use of water heretofore appropriated under Permit 17241, Certificate 5929

1. The source of water is an underground source in Nye County, Nv
2. The amount of water to be changed 2.45 C.F.S., not to exceed 790 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. $\frac{1}{4}$ SE. $\frac{1}{4}$ of Section 9, T.17S., R.49E., M.D.M., or at a point from which the SE. corner of said section 9 bears S 39⁰ 27' E., a distance of 1876.80 Ft.
6. The existing permitted point of diversion is located within the NE. $\frac{1}{4}$ NW. $\frac{1}{4}$ of Section 9, T.17S., R.49E., M.D.M., or at a point from which the NE. corner of said Section 9 bears N. 88⁰ 03' E., a distance of 3002 Ft.
7. Proposed place of use 210 acres within the W. $\frac{1}{2}$, NW. $\frac{1}{4}$ SE. $\frac{1}{4}$, NE. $\frac{1}{4}$ SE. $\frac{1}{4}$, SE. $\frac{1}{4}$ SE. $\frac{1}{4}$, all in Section 9, T.17S., R.49E., M.D.M.
8. Existing place of use

38 acres in the	NE. $\frac{1}{4}$	NW. $\frac{1}{4}$	Sec. 9,	T.17S.,	R.49E.,	M.D.M.
40 " " "	NW. $\frac{1}{4}$	NW. $\frac{1}{4}$,	"	"	"	"
40 " " "	SW. $\frac{1}{4}$	NW. $\frac{1}{4}$	"	"	"	"
40 " " "	SE. $\frac{1}{4}$	NW. $\frac{1}{4}$	"	"	"	"

Total 158 acres
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 14 $\frac{1}{2}$ " Dia. X 305 Deep driven well with a 125 hp. submersible pump, wire and pipe
12. Estimated cost of works Approximately \$50,000
13. Estimated time required to construct works presently completed as described in item 11 above

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

15. Remarks:

By Lisle Lowe (agent)
s/Lisle Lowe
HCR. Box 400-E
Amargosa Valley, Nv, 89020

Compared my/bk dl/cmf

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 the waters of an underground source as heretofore granted under Permit 17241, Certificate 5929 is issued subject to the terms and conditions imposed in said Permit 17241, Certificate 5929 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 total combined duty of water under Permits 64489, 64490 and 64491 shall not exceed 1,050.0 acre-feet annually for the irrigation of 210 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any well drilled under Permit 17241, Certificate 5929 shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of this permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.45 cubic feet per second, but not to exceed 790.0 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:

September 14, 2000

Proof of completion of work shall be filed before:

October 14, 2000

Water must be placed to beneficial use on or before:

September 14, 2002

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

October 14, 2002

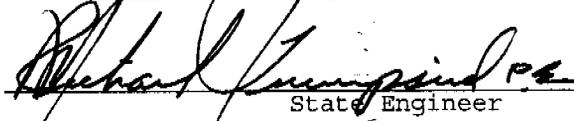
Map in support of proof of beneficial use shall be filed on or before:

October 14, 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 14th day of September, A.D. 1999


State Engineer

Completion of work filed NOV 15 2001

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____