

**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 OCT 08 1998
 Returned to applicant for correction OCT 22 1998
 Corrected application filed OCT 26 1998
 Map filed OCT 26 1998

The applicant **The Clemens Family Trust**, hereby makes application for permission to change the **Point of Diversion, Manner and Place of Use of a Portion of water heretofore appropriated under Permit 12156, Certificate 3397**

1. The source of water is **Underground**
2. The amount of water to be changed **8 acre-feet**
3. The water to be used for **irrigation & domestic purposes**
4. The water heretofore permitted for **fish propagation & domestic**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, T.11N., R.24E., M.D.B.&M.**, or at a point from which the **E $\frac{1}{4}$ Corner of said Section 28 bears S. 58 $^{\circ}$ 44' 55" E., a distance of 1094.34 ft.**
6. The existing permitted point of diversion is located within **See Exhibit "A"**
7. Proposed place of use **5.35 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, T.11N., R.24E., M.D.B.&M. (Lyon County APN 09-121-10)**
8. Existing place of use **S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T.11N., R.24E., M.D.B.&M.**
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 and cased well, equipped with motor, pump, meter and distribution system**
12. Estimated cost of works **\$20,000.00**
13. Estimated time required to construct works **Two (2) years**
14. Estimated time required to complete the application of water to beneficial use **Five (5) years**
15. Remarks: **This application is being filed to transfer underground water rights to the applicant's property. Domestic use will be for one house. Irrigation use will be on approximately 2 acres of pasture. The total duty will not exceed 8 acre-feet.**

By **Gregory M. Bilyeu**
s/Gregory M. Bilyeu
P. O. Box 70458
Reno, Nevada 89570-0458

Compared my/cms dl/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, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 12156, Certificate 3397 is issued subject to the terms and conditions imposed in said Permit 12156, Certificate 3397 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 place of use of this permit is limited to the irrigation of 2.0 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 0.0111 cubic feet per second, but not to exceed 8.0 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:

February 17, 2001

Proof of completion of work shall be filed before:

March 17, 2001

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

February 17, 2004

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

March 17, 2004

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

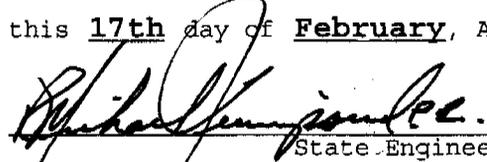
March 17, 2004

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 17th day of February, A.D. 1999


State Engineer

Completion of work filed JAN 25 2001

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

EXHIBIT "A"

Question 6 – Existing Point of Diversion

NE ¼ NE ¼ Section 18, T.11N., R.24E., M.D.B. & M., or at points from which the E ¼ Corner of said Section 18, bears S. 1° 50' 40" E., 1,770.56 ft.; S. 14° 38' 30" E., 1,985.98 ft.; S. 26° 57' 40" E., 2,092.16 ft.; S. 36° 06' E., 2,239.68 ft.; and S. 22° 07' E., 1,738.30 ft.