ASSIGNED

NO. 64862

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 FEB 19 1999

Returned to applicant for correction

Corrected application filed

Map filed FEB 19 1999 under 64860

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The applicant **F.I.M., Corporation**, hereby makes application for permission to change the **Point of Diversion & Place of Use** of water heretofore appropriated under **Permit 57565**

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1. The source of water is **Underground**

2. The amount of water to be changed **0.17 cfs**

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 **SE¼ NE¼ of Sec. 5, T.10N., R.24E., MDB&M, or at a point from which the E¼ corner of Sec. 5, T.10N., R.24E., MDB&M, bears S88°E, a distance of 600 feet.**

6. The existing permitted point of diversion is located within **SW¼ NW¼ of Sec. 9, T.10N., R.24E., MDB&M, or a point from which the NW corner of Sec. 5, T.10N., R.24E., MDB&M, bears N37°57'30"W, a distance of 9201 feet.**

7. Proposed place of use **Portions of the NE¼, Sec. 5 and the W½SW¼NW¼, Sec. 4, T.10N., R.24E., MDB&M (93 acres)**

8. Existing place of use **Portions of the SE¼ NW¼, SW¼ NE¼ and SE¼ NE¼ of Sec. 4, T.10N., R.24E., MDB&M, a total of 10 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 **Well, pump & sprinklers**

12. Estimated cost of works **$30,000.00**

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/Bruce L. Rice
By Bruce L. Rice
4300 B Water Canyon Rd.
Winnemucca, NV 89445

Compared dl/cms dl/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 the waters of an underground source as heretofore granted under Permit 57565 is issued subject to the terms and conditions imposed in said Permit 57565 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 64860, 64861 and 64862 shall not exceed 372.0 acre-feet annually.

The total combined duty of water under Permits 64860, 64861 and 64862, and any waters of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 372.0 acre-feet per year for the irrigation of 93 acres. The permittee is responsible for ensuring delivery of the entitled decreed and storage waters that are supplemental to Permits 64860, 64861 and 64862. In any year that the Walker River Irrigation District declares a full allocation of decreed waters to the priority years of C-125 claims supplemental to Permits 64860, 64861 and 64862, underground water shall not be pumped from the wells described in these permits. In any year that the Walker River Irrigation District has no decreed or storage water, or declares a reduced allocation of surface waters to the priority years of C-125 claims supplemental to Permits 64860, 64861 and 64862, then the place of use of the permits can be irrigated with underground water, but not to exceed a duty of 4.0 acre-feet per acre per year from the total of decreed, storage and underground waters.

(CONTINUED ON PAGE 3)

64862

(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 **0.17** cubic feet per second, **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:

October 15, 2000

Proof of completion of work shall be filed before:

November 15, 2000

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

October 15, 2001

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

November 15, 2001

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

November 15, 2001

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 **2nd** day of **August**, A.D. **1999**

Abrogation 66256-T 0.17
66255 0.17
cert 04/05/04

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____