

**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 MAR 09 1999

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 09 1999

The applicant Lance O'Banion, hereby make application for permission to change the Point of Diversion, Manner & 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 0.0277 cfs, not to exceed 20 acre-feet.
3. The water to be used for irrigation
4. The water heretofore permitted for fish propagation & domestic
5. The water is to be diverted at the following point NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, T.9N., R.24E., or at a point from which the W $\frac{1}{4}$ Corner of said Section 8, bears N. 80° 08' 57" W., a distance of 2016.3 feet
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T.11N., R.24E., M.D.B.&M. or at points from which the E $\frac{1}{4}$ of said Section 18 bears S. 1° 50' 40" E., 1770.56', S. 14° 38' 30" E., 1985.98', S. 26° 57' 40" E., 2092.16', S. 36° 6' E., 2239.68', S. 22° 7' E., 1738.3'
7. Proposed place of use E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8, T.9N., R.24E., M.D.B.&M., place of use to be limited to 5 acres within the above described place of use.
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 a drilled and cased well, equipped with a motor, pump, meter and distribution system
12. Estimated cost of works \$75,000.00
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 property formerly irrigated by Decreed water rights from Desert Creek. The surface rights were retained by the previous owner of the property and are not available to the

applicant. Documentation transferring ownership of a portion of the base right has been submitted under a separate cover. Please use the map on file under Permit 12156 for the existing point of diversion and place of use.

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

Compared my/gkl jr/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, 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

This permit is limited to the irrigation of 5.0 acres within the described place of use.

(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 0.0277 cubic feet per second, but not to exceed 20.0 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:

August 26, 2001

Proof of completion of work shall be filed before:

September 26, 2001

Water must be placed to beneficial use on or before:

August 26, 2004

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

September 26, 2004

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

September 26, 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 26th day of August, A.D. 1999


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By: 66087-T 0.0277
67174-T 0.0277 exp 12/31/01
68491-T 0.0277 exp 12/31/02