

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 03 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 13 1999 under 64766

The applicant **Edward J. Rigler, % Christine Schijf**, hereby makes application for permission to change the **Point of Diversion, Manner of Use, and Place of Use**, for a portion of water heretofore appropriated under **Permit 40448**

1. The source of water is an **underground source in Nye County, Nv**
2. The amount of water to be changed **1 CFS., not to exceed 59.83 AFA.**
3. The water to be used for **Commercial Dairy Purposes**
4. The water heretofore permitted for **Quasi-Municipal and Domestic**
5. The water is to be diverted at the following point **within the NW.¼ NE.¼ of Section 10, T.17S., R.49E., M.D.M., or at a point from which the NE. corner of said Section 10 bears N. 87 11' 27" E., a distance of 1979 feet (See map accompanying Application 64767 for reference)**
6. The existing permitted point of diversion is located within the **NW.¼ NE.¼ of Section 24, T.15S., R.49E., M.D.M., or at a point from which the N. ¼ corner of said Section 24 bears N. 45 W., a distance of 707.0 feet (See map accompanying Application 64767 for reference)**
7. Proposed place of use **120 acres within the NW.¼ NE.¼, NE.¼ NE.¼, and SW.¼ NE.¼ of Section 10, T.17S., R.49E., M.D.M. (See map accompanying Application 64767 for reference)**
8. Existing place of use **Sections 18, 19, and N.½ of Section 30, all in T.15S., R.50 E., M.D.M. (See Map accompanying Application 64767 for reference) Sections 18, 19, N½ Sec 30, T15S, R50E**
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 10 in. dia. X 320 ft. deep driven well cased all the way, with a 75 hp. submersible pump, pipe, and wire**
12. Estimated cost of works **\$20,000**
13. Estimated time required to construct works **1 year, existing, same as item #11**
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. 69, Box 400-E
Amargosa Valley, Nv, 89020

Compared kdg/cl hf/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 40448 is issued subject to the terms and conditions imposed in said Permit 40448 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 61080, 62116, 64767, 65145, and 66042 shall not exceed 452.83 acre-feet annually.

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

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

No irrigation is allowed under 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 1.0 cubic feet per second, **but not to exceed 59.83 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

December 31, 2000

Proof of completion of work shall be filed before:

January 31, 2001

Water must be placed to beneficial use on or before:

December 31, 2002

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

January 31, 2003

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

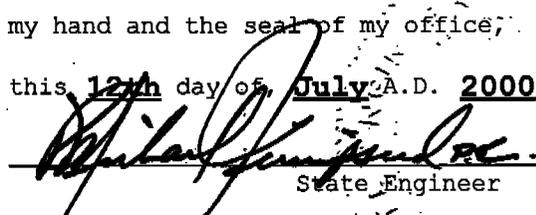
January 31, 2003

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 12th day of July A.D. 2000


State Engineer

Completion of work filed FEB 12 2001

Proof of beneficial use filed SEP 29 2003

Cultural map filed JAN 13 1999 under 64766

Certificate No. 16276 Issued JAN 20 2004

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