

THIRD AMENDED**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 APR 28 2000

Returned to applicant for correction MAY 26 2000

Corrected application filed JUN 14 2000

Map filed JUN 14 2000

The applicant **North Valley Holdings, LLC**, hereby makes application for permission to change the **Point of Diversion, Manner and Place of Use** of water heretofore appropriated under **Application 38758**

1. The source of water is **Underground**
2. The amount of water to be changed **2.7 cfs, not to exceed 800 acre-feet annually**
3. The water to be used for **Industrial**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T.16S, R.63E, M.D.B.&M. or at a point from which the NE Corner of Section 29 bears S. 57° 22' 18" W. a distance of 5720.43 feet.**
6. The existing permitted point of diversion is located within being within the **SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T.16S., R.63E., M.D.B&M, Clark County, Nev. and S. 44° 58' 30" E., a distance of 1865 ft. to the SE corner of said section 8.**
7. Proposed place of use **Section 2, T.18S., R.63E., M.D.B&M, and Section 7, W $\frac{1}{2}$ Section 8, T.18S., R.64E., M.D.B&M.**
8. Existing place of use **SE $\frac{1}{4}$, Section 8, T.16S., R.63E., M.D.B&M-the entire place of use is being changed by this application.**
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 meter, motor, pump and pipeline to the proposed place of use.**
12. Estimated cost of works **\$5,000,000**
13. Estimated time required to construct works **Five (5) years**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

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15. Remarks: Water from this application will be piped to the proposed place of use for industrial purposes. Refer to the map on file under application 38758 for the existing point of diversion and place of use. This 3rd amended application is being filed to further identify the place of use.

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

Compared my/cmf

Protested 9/29/00 US Dept. of the Interior National Park Service; 10/16/00
Dry Lake Water LLC;

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that due to the denial of Application 38758, no water right application exists that can be changed by Application 66316. No ruling is made on the merits of the individual protests.

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

Proof of completion of work shall be filed before: _____

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

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

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

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 18th day of July, A.D. 2001

Hugh Ricci, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____