

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 AUG 07 2000

Returned to applicant for correction AUG 25 2000

Corrected application filed SEP 27 2000

Map filed OCT 17 2000 under Proof Map 02035

The applicant **DONALD JAY LEVERETT & VIRGINIA LEE LEVERETT**, hereby make application for permission to change the **MANNER OF USE & POINT OF DIVERSION** of water heretofore appropriated under **VESTED RIGHT 02039**

1. The source of water is **HARRY'S SPRING**
2. The amount of water to be changed **20.20 ACRE FEET**
3. The water to be used for **COMMERCIAL**
4. The water heretofore permitted for **IRRIGATION, STOCK WATERING & DOMESTIC**
5. The water is to be diverted at the following point **THE NE¼ NW¼ SECTION 5, T.23N., R.18E., M.D.B.&M. AT A POINT FROM WHICH THE NORTH ¼ CORNER OF SECTION 5 BEARS N 39° 13' 10" E 267.95'**
6. The existing permitted point of diversion is located within **NE¼ NW¼ SECTION 5, T.23N., R.18E., M.D.B.&M., WASHOE COUNTY NEVADA, AT A POINT FROM THE N¼ CORNER OF SAID SECTION 5, BEARS N 02° 00' E. 180 FEET**
7. Proposed place of use **PORTIONS OF THE NW¼ NE¼ OF SECTION 5, T.23N., R.18E., M.D.B.&M., AND PORTIONS OF THE SW¼ SE¼ OF SECTION 32, T.24N., R.18E., M.D.B.&M., WASHOE COUNTY, NEVADA**
8. Existing place of use **PORTIONS OF THE NW¼ NE¼ IF SECTION 5, T.23N., R.18E., M.D.B.&M., AND PORTIONS OF THE SW¼ SE¼ OF SECTION 32, T.24N., R.18E., M.D.B.&M., WASHOE COUNTY, NEVADA 20.20 ACRE FEET TO BE REMOVED FROM IRRIGATION, STOCK WATERING AND DOMESTIC**
9. Use will be from **JANUARY 1 to DECEMBER 31st** of each year.
10. Use was permitted from **MARCH 15 to NOVEMBER 1** of each year.
11. Description of proposed works **A WATER BOTTLING BUILDING, A 4" PIPE FROM THE POINT OF DIVERSION TO THE BUILDING, INSTALL A TOTALIZING METER**
12. Estimated cost of works **\$100,000.00**
13. Estimated time required to construct works **5 YEARS**
14. Estimated time required to complete the application of water to beneficial use **5 YEARS**

15. Remarks: ANNUAL CONSUMPTIVE USE 20.20 ACRE FEET. USE MAP 02035 FOR PLACE OF USE AND MAP 26712 FOR POINT OF DIVERSION

By ROBERT L. FISHER
s/Robert L. Fisher
515 LENWOOD DRIVE
SPARKS, NEVADA 89431

Compared my/cmf ds/bk

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 Harry's Spring heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water 02039, is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to any determination of the waters of Harry's Spring that may be made under adjudication proceedings under NRS 533.090 through 533.320.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

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

The duty issued under this permit plus the duty allowed for under Permit 26712, Certificate 8678, and the duty remaining under the Claim of Vested Right 02039, is limited to the total amount of water Harry's Spring is capable of producing.

(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 0.028 cubic feet per second, but not to exceed 20.20 acre-feet annually.

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

February 21, 2003

Proof of completion of work shall be filed before:

March 21, 2003

Water must be placed to beneficial use on or before:

February 21, 2006

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

March 21, 2006

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

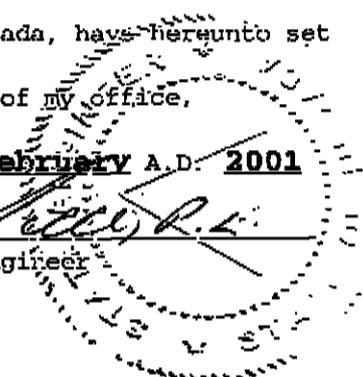
N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 21st day of, February A.D. 2001

[Handwritten Signature]
State Engineer



Completion of work filed APR 07 2003

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

