2nd AMENDED

NO. 66972

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 **DEC 01 2000**

Returned to applicant for correction

Corrected application filed **FEB 05 2001**

Map filed **FEB 05 2001 under 66436T**

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The applicant **Ronald Simek** hereby make application for permission to change the **Point of Diversion and place of use of a portion** of water heretofore appropriated under **Permit No. 53452**

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

2. The amount of water to be changed **1.02 cfs (137.88 acres)**

3. The water to be used for **irrigation and domestic**

4. The water heretofore permitted for **irrigation and domestic**

5. The water is to be diverted at the following point **the SW¼ SW¼ of Section 26, T.14N., R.19E., M.D.M., or at a point from which the West ¼ corner of said Section 26 bears North 7° 7' 48" West a distance of 2109.8 feet.**

6. The existing permitted point of diversion is located within **the NE¼ SW¼ of Section 34, T.14N., R.19E., M.D.M., or at a point from which the South ¼ corner of Section 35, T.14N., R.19E., M.D.M., bears S 29° 29' 23" E, a distance of 5,911 feet.**

7. Proposed place of use **(see attached sheet)**

8. Existing place of use **(see attached sheet)**

9. Use will be from **March 1st** to **November 1st** of each year.

10. Use was permitted from **March 1st** to **November 1st** of each year.

11. Description of proposed works **drilled well equipped with pump and motor with pipeline distribution system**

12. Estimated cost of works **$150,000.00**

13. Estimated time required to construct works **completed**

14. Estimated time required to complete the application of water to beneficial use **1 year**

15. Remarks: **This application is being filed to support and document the transfer of water under Permit No. 52452 that is supplemental to water under Claim of Vested Right 09250**

which is being moved to the 18-hole golf course.

R.O. ANDERSON ENGINEERING, INC.
By Robert O. Anderson, P.E.
s/ Robert O. Anderson
1603 Esmeralda Avenue
Minden, Nevada 89423

Compared **gkl/** cmf ~~ds/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 a portion of the waters of an underground source as heretofore granted under Permit 53452, is issued subject to the terms and conditions imposed in said Permit 53452, 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 66970 (a portion of), 66971, and 66972 shall not exceed 668.76 acre-feet per year for the irrigation of 137.88 acres.

There are 6.07 acres that can be irrigated under Permit 66970, but are not supplemental to Permits 66971, and 66972.

The issuance of this permit expires Temporary Permit 66436-T.

(CONTINUED ON PAGE 3)

66972

(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 **1.02** cubic feet per second, **but not to exceed 495.49 acre-feet per season.**

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

September 21, 2002

Proof of completion of work shall be filed before:

October 21, 2002

Water must be placed to beneficial use on or before:

September 21, 2003

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

October 21, 2003

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

October 21, 2003

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **21st** day of, **September** A.D. **2001**

Hugh Ricci, P.E.

State Engineer

Completion of work filed NOV 20 2002

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

PROPOSED PLACE OF USE
Permit #53452

Acreage	Sub		Section	Township	Range
12.88	SW	NE	26	14 N	19 E
0.00	SE	NE	26	14 N	19 E
7.38	NE	SW	26	14 N	19 E
12.34	SW	SW	26	14 N	19 E
34.04	SE	SW	26	14 N	19 E
23.97	NW	SE	26	14 N	19 E
1.39	NE	SE	26	14 N	19 E
10.47	SW	SE	26	14 N	19 E
0.03	NE	NE	26	14 N	19 E
5.10	NW	NE	26	14 N	19 E
7.32	NE	NW	26	14 N	19 E
1.50	NW	NW	26	14 N	19 E
4.99	SW	NW	26	14 N	19 E
6.55	SE	NW	26	14 N	19 E
4.47	NW	SW	26	14 N	19 E
0.72	NE	NE	27	14 N	19 E
4.42	SE	NE	27	14 N	19 E
0.31	NE	SE	27	14 N	19 E
137.88	TOTAL				

66972

EXISTING PLACE OF USE
Permit #53452

Acreage	Sub		Section	Township	Range
13.25	SW	NE	26	14 N	19 E
4.70	SE	NE	26	14 N	19 E
0.80	NE	SW	26	14 N	19 E
8.20	SW	SW	26	14 N	19 E
34.40	SE	SW	26	14 N	19 E
36.56	NW	SE	26	14 N	19 E
6.50	NE	SE	26	14 N	19 E
18.38	SW	SE	26	14 N	19 E
6.10	SE	SE	27	14 N	19 E
20.00	NE	NE	34	14 N	19 E
0.70	SW	NE	34	14 N	19 E
36.30	SE	NE	34	14 N	19 E
0.10	NW	SE	34	14 N	19 E
5.75	NE	SE	34	14 N	19 E
36.81	NW	NW	35	14 N	19 E
38.70	NE	NW	35	14 N	19 E
8.20	SW	NW	35	14 N	19 E
1.80	SE	NW	35	14 N	19 E
26.03	NW	NE	35	14 N	19 E
303.28	Total				

SUMMARY OF PROPOSED PLACE OF USE OF JAMES CANYON AND SUPPLEMENTAL GROUNDWATER RIGHTS

SUB		SEC	TWP	RGE	PERMIT #09250 Existing Acreage	Supplemental Severed Acreage	Non-Supplemental Severed Acreage	Remaining Acreage	PERMIT #8771 Existing Acreage	Supplemental Severed Acreage	Non-Supplemental Severed Acreage	Non-Supplemental Remaining Acreage	PERMIT #53452 Existing Acreage	Supplemental Severed Acreage	Non-Supplemental Severed Acreage	Non-Supplemental Remaining Acreage
SW	NE	26	14 N	19 E	14.00	13.25	0.75	0.00	13.25	13.25	0.00	0.00	13.25	13.25	0.00	0.00
SE	NE	26	14 N	19 E	21.30	4.70	16.60	0.00	4.70	4.70	0.00	0.00	4.70	4.70	0.00	0.00
NE	SW	26	14 N	19 E	7.40	0.60	6.80	0.00	0.80	0.60	0.20	0.00	0.80	0.60	0.20	0.00
SW	SW	26	14 N	19 E	13.60	3.05	5.40	5.15	3.05	3.05	0.00	0.00	8.20	3.05	0.00	5.15
SE	SW	26	14 N	19 E	31.20	31.20	0.00	0.00	32.25	31.20	1.05	0.00	34.40	31.20	1.05	2.15
NW	SE	26	14 N	19 E	33.10	33.10	0.00	0.00	36.56	33.10	3.46	0.00	36.56	33.10	3.46	0.00
NE	SE	26	14 N	19 E	9.30	5.75	3.55	0.00	6.50	5.75	0.75	0.00	6.50	5.75	0.75	0.00
SW	SE	26	14 N	19 E	11.60	11.60	0.00	0.00	18.38	11.60	3.33	3.45	18.38	11.60	3.33	3.45
SE	SE	27	14 N	19 E	7.00	0.00	0.90	6.10	0.00	0.00	0.00	0.00	6.10	0.00	0.00	6.10
NE	NE	34	14 N	19 E	0.50	0.00	0.00	0.50	8.71	0.00	0.19	8.52	20.00	0.00	0.19	19.81
SW	NE	34	14 N	19 E	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.70	0.00	0.00	0.70
SE	NE	34	14 N	19 E	0.00	0.00	0.00	0.00	1.92	0.00	0.00	1.92	36.30	0.00	0.00	36.30
NW	SE	34	14 N	19 E	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.10	0.00	0.00	0.10
NE	SE	34	14 N	19 E	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.75	0.00	0.00	5.75
NW	NW	35	14 N	19 E	0.10	0.10	0.00	0.00	36.81	0.10	10.99	25.72	36.81	0.10	10.99	25.72
NE	NW	35	14 N	19 E	8.40	6.60	0.00	1.80	32.73	6.60	7.70	18.43	38.70	6.60	7.70	24.40
SW	NW	35	14 N	19 E	0.00	0.00	0.00	0.00	8.20	0.00	0.00	8.20	8.20	0.00	0.00	8.20
SE	NW	35	14 N	19 E	0.00	0.00	0.00	0.00	0.43	0.00	0.00	0.43	1.80	0.00	0.00	1.80
NW	NE	35	14 N	19 E	0.00	0.00	0.00	0.00	26.03	0.00	0.26	25.77	26.03	0.00	0.26	25.77
Total Acreage					157.50	109.95	34.00	13.55	230.32	109.95	27.93	92.44	303.28	109.95	27.93	165.40

Total Severed Acreage Under 09250	143.95

Total Severed Acreage Under 8771	137.88

Total Severed Acreage Under 53452	137.88

669 72