

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 08 2001

Returned to applicant for correction MAR 09 2001

Corrected application filed

Map filed OCT 23 1996 UNDER 45856

The applicant Desert Pearl Farms hereby makes application for permission to change the Point of Diversion of water heretofore appropriated under Permit 53913, Certificate 14489

1. The source of water is **underground**
2. The amount of water to be changed **1.45 c.f.s., 1,049.76 AFA**
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 **Lot 1 (NE¼NE¼) Section 4, T.13 N., R.25 E., MDM, or at a point from which the E¼ corner of said Section 4 bears South 28°17' East, 2758 feet**
6. The existing permitted point of diversion is located within **SW¼NE¼ Section 4, T.13 N., R.25 E., MDM, or at a point from which the NW corner of said Section 4 bears North 65°24' West, 2977.0 feet**
7. Proposed place of use **See attached**
8. Existing place of use **See attached, no change**
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 well, pump and motor, and irrigation distribution system**
12. Estimated cost of works **existing well under Permit 65724**
13. Estimated time required to construct works **existing well**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **See attached**

By s/ Bruce R. Scott, Resource Concepts, Inc.
Bruce R. Scott
340 North Minnesota Street
Carson City, Nevada 89703

Compared cm/cmF ds/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 of the waters of an underground source as heretofore granted under Permit 53913, Certificate 14489, is issued subject to the terms and conditions imposed in said Permit 53913, Certificate 14489, 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.

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.

The total combined duty of water under Permits 65724, 67034, 67202, 67203, and 67204, and any waters of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 2,631.0 acre-feet per year for the irrigation of 657.75 acres. The permittee is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to these permits. In any year that the Walker River Irrigation District declares a full allocation of decreed waters to the priority years of C-125 claims supplemental to these permits, underground water shall not be pumped from the wells described in these permits. In any year that the Walker River Irrigation District has no decreed or storage water, or declares a reduced allocation of surface waters to the priority years of C-125 claims supplemental to these permits, then the place of use of the permits can be irrigated with underground water, but not to exceed a duty of 4 acre-feet per acre per year from the total of decreed, storage, and underground waters.

(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 1.45 cubic feet per second, but not to exceed 1,049.76 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:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

May 16, 2004

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

June 16, 2004

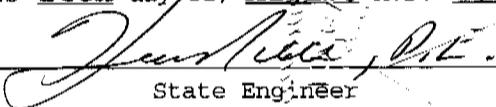
Map in support of proof of beneficial use shall be filed on or before:

June 16, 2004

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

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

this 24th day of, August A.D. 2001



State Engineer

Completion of work filed under 65724 on June 27, 2001

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

ATTACHMENT TO APPLICATION TO CHANGE PERMIT 53913, CERTIFICATE 14489

Items 7 and 8: Proposed Place of Use and Existing Place of Use:

NW $\frac{1}{4}$ NW $\frac{1}{4}$ (34.09 ac), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (36.37 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (36.54 ac), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (37.90 ac), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (37.10 ac), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (34.20 ac), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (37.90 ac), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (33.60 ac) Section 4, T.13 N., R.25 E., MDM; NE $\frac{1}{4}$ NE $\frac{1}{4}$ (6.70 ac), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40.00 ac), NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40.00 ac), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (38.60 ac) Section 32, T.14 N., R.25 E., MDM; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (6.70 ac), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (6.70 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (40.00 ac), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (40.00 ac), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (40.00 ac), NE $\frac{1}{4}$ SW $\frac{1}{4}$ (40.00 ac), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (37.87 ac), SE $\frac{1}{4}$ SW $\frac{1}{4}$ (33.48 ac), Section 33, T.14 N., R.25 E., MDM, 657.75 acres total (currently reduced to 589 acres for approximately two years, as referenced in Temporary Permit 66891T).

Item 15. Remarks:

The well under Permit 53913 is being plugged and this application is to move the water rights into the existing well under Permit 65724. The water under this application is to be supplemental to water under Permit 65724, Application 67034, and applications (being filed concurrently) to change Permits 49258 and 56856, for irrigation of 657.75 acres (currently reduced to 589 acres for approximately 2 years, as referenced in Permit 66891T). Use map on file under Application 65724 to support the proposed point of diversion and proof of beneficial use map on file under Permit 45856 to support the existing point of diversion and the existing and proposed place of use.