

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 MAR 29 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 29 2001 UNDER 67388

The applicant **John P. Davis** hereby makes application for permission to change the **point of diversion** of water heretofore appropriated under **59828**

1. The source of water is **underground**
2. The amount of water to be changed **.09375 c.f.s.**
3. The water to be used for **irrigation and domestic**
4. The water heretofore permitted for **same**
5. The water is to be diverted at the following point **NW¼ of the SW¼, Sec 12 T.6N., R.40E, M.D.M. from which point the SW Cor of said Sec 12 bears S 04°31'03"W, 1334.26' feet distant**
6. The existing permitted point of diversion is located within **NW¼ of the SW¼, Sec 12, T.6N., R.40E., M.D.M. from which point the SW Cor of said Section 12 bears S 26°08'41"W 1671.39 feet distant**
7. Proposed place of use **A portion of the NW¼ of the SW¼ and a portion of the SW¼ of the SW¼, Sec 12, T.6N., R.40E. M.D.M. containing 14.346 Ac ± Net Par "A" Parcel Map 26537. Nye Co. Records**
8. Existing place of use **same – no change place of use**
9. Use will be from **Jan 1 to Dec 31** of each year.
10. Use was permitted from **Jan 1 to Dec 31** of each year.
11. Description of proposed works **8" well, 15 HP submersible pump, 4" main line, 2"-3" sprinkler lines**
12. Estimated cost of works **\$35,000**
13. Estimated time required to construct works **2 yr**
14. Estimated time required to complete the application of water to beneficial use **3 yr**
15. Remarks: **This change is necessitated by the fact three phase power exists at the proposed point of diversion. There is a significant economic benefit in moving the well to the power**

notwithstanding the additional pumping cost.

By s/ **John P. Davis**
P.O. Box 1646
Tonopah, NV. 89049

Compared cm/cm^f ds/cm^f

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 59828, is issued subject to the terms and conditions imposed in said Permit 59828, 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 67390 and 67391 shall not exceed 40 acre-feet annually for the irrigation of 10 acres within the described place of use.

(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 0.09375 cubic feet per second, 40 acre-feet annually, and not to exceed an annual 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:

December 10, 2003

Proof of completion of work shall be filed before:

January 10, 2004

Water must be placed to beneficial use on or before:

December 10, 2006

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

January 10, 2007

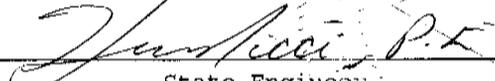
Map in support of proof of beneficial use shall be filed on or before:

January 10, 2007

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

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

this 10th day of, December A.D. 2001



State Engineer

Completion of work filed SEP 29 2003

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____