

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 MAY 25 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 31 1977 under 30782

The applicant **The Cortez Joint Venture** hereby makes application for permission to change the **Place of Use** of a portion of water heretofore appropriated under **Permit 30782, Certificate 9470**

1. The source of water is **Underground**
2. The amount of water to be changed **1.11 c.f.s., 274 AFA**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 7, T.28N., R.49E., MDM, or at a point from which the NW corner of said Section 7 bears North 40°10' West, 1780 feet**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **68.5 acres within the SE $\frac{1}{4}$ Section 7, T.28N., R.49E., MDM**
8. Existing place of use **Lot #1 – NW $\frac{1}{4}$ NW $\frac{1}{4}$ (34 ac), E $\frac{1}{2}$ NW $\frac{1}{4}$ (80 ac), Lot #2 – SW $\frac{1}{4}$ NW $\frac{1}{4}$ (34.5 ac), and the NE $\frac{1}{4}$ (160 ac) Section 7, T.28N., R.49E., MDM, 308.5 acres total; 68.5 acres to be removed from irrigation under this application, in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (7.77 ac), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (7.28 ac), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (7.22 ac), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (6.57 ac), NW $\frac{1}{4}$ NE $\frac{1}{4}$ (12.68 ac), NE $\frac{1}{4}$ NE $\frac{1}{4}$ (8.75 ac), SW $\frac{1}{4}$ NE $\frac{1}{4}$ (10.85 ac), SE $\frac{1}{4}$ NE $\frac{1}{4}$ (7.38 ac) of said Section 7.**
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 **well, pump and motor, and pivot irrigation**
12. Estimated cost of works **in excess of \$100,000**
13. Estimated time required to construct works **completed**
14. Estimated time required to complete the application of water to beneficial use **2 years**
15. Remarks: **Use Proof of Beneficial Use map on file under Permit 30782 to support the proposed and existing points of diversion. The water under this application is to be commingled with water under the application being filed concurrently to change 51.5 acres of water under Permit 30784, for a 120 acre pivot in the proposed place of use.**

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

Compared cmf/ CAM 1b/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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 30782, Certificate 9470 is issued subject to the terms and conditions imposed in said Permit 30782, Certificate 9470 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 total combined duty of water under Permits 67612 and 67613 shall not exceed 480 acre-feet annually for the irrigation of 120 acres.

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

Monthly records will be kept of the volume of water pumped from this well and delivered to the irrigation system. These records will be submitted within 15 days after the end of each month on the monthly report for The Cortez Joint Ventures.

This permit is supplemental to Permit 11451, Certificate 3940.

(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 1.11 cubic feet per second, but not to exceed 274 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:

August 14, 2004

Proof of completion of work shall be filed on or before:

September 14, 2004

Water must be placed to beneficial use on or before:

August 14, 2006

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

September 14, 2006

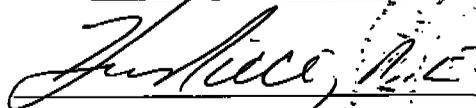
Map in support of proof of beneficial use shall be filed on or before:

September 14, 2006

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

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

this 14th day of August, A.D. 2003



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

