No. 68458

SECOND AMENDED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office FEB 07 2002

Returned to applicant for correction FEB 20 2002

Corrected application filed MAR 25 2002

Map filed MAR 25 2002

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The applicant **Smith Valley Fire Protection District** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground**

2. The amount of water applied for is **1.0 c.f.s.** second-feet

   (a) If stored in reservoir give number of acre-feet

3. The water to be used for **Commercial (Fire Suppression) and Domestic**

4. If use is for:

   (a) Irrigation, state number of acres to be irrigated

   (b) Stockwater, state number and kinds of animals to be watered

   (c) Other use (describe fully under No. 12. "Remarks")

   (d) Power:
      (1) Horsepower developed

      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point **NW¼, SW¼, Sec. 21, T.11N., R.24E., M.D.B.&M. N 79* 26' 14" E, 1548.05' From the center of Sec. 21**

6. Place of Use **Portion of NW¼ SW¼, Sec, 21, T.11N., R.24E, M.D.B.&M**

7. Use will begin about **January 1** and end about **December 31** of each year.

8. Description of proposed works **Well pump and distribution system**

9. Estimated cost of works **$25,000**

10. Estimated time required to construct works **3 Years**

11. Estimated time required to complete the application of water to beneficial use **5 Years**

12. Remarks: **Water will be used in significant quantities only in times of fire, in the absences of fires, water will be used for equipment maintenance, and restrooms with average daily demands of approximately 1800 gallons.**

s/Corey L. Rice
By **Corey L. Rice SWRS # 1035**
720 S. Main St. St# B
Yerington, NV 89447

Compared my/ sam lb/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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

68458

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.0** cubic feet per second, **but not to exceed 2.02 acre-feet annually.**

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

September 13, 2004

Proof of completion of work shall be filed before:

October 13, 2004

Water must be placed to beneficial use on or before:

September 13, 2007

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

October 13, 2007

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

N/A

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **13th** day of **September,** A.D. **2002**

Hugh Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed **N/A**

Certificate No. _____ Issued _____