



THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: THOMAS W. SMOTRICH AND IRIS M. SMOTRICH, TRUSTEE
UNDER DECLARATION OF TRUST DATED MARCH 30, 1989
F/B/O THOMAS W. SMOTRICH AND IRIS M. SMOTRICH

Source: UNDERGROUND

Basin: AMARGOSA DESERT

Manner of Use: COMMERCIAL

Period of Use: January 1st to December 31st

Priority Date: 02/18/1952

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 and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 14054, Certificate 6019, is issued subject to the terms and conditions imposed in said Permit 14054, Certificate 6019 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If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(Continued on Page 2)

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed .06 cubic feet per second or 5.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

August 6, 2010

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

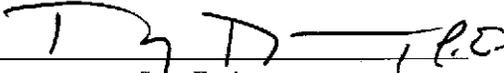
August 6, 2012

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 6th day of August, A.D. 2009



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

**AMENDED
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 JUN 10 2002

Returned to applicant for correction AUG 01 2002

Corrected application filed SEP 30 2002

Map filed SEP 30 2002 under 68882

The applicant **Thomas Smotrich** hereby makes application for permission to change the **Manner of use, Place of Use, of a portion** of water heretofore appropriated under **Permit 14054, Certificate 6019**

1. The source of water is **Underground Source**
2. The amount of water to be changed **5 acre feet**
3. The water to be used for **Commercial**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **unchanged, existing point of diversion (well) under permit 14054, SE¼ NE¼ Sec. 12, T17S, R48E, MDB&M, or at a point from which the West ¼ corner of Sec. 7, T17S R49E MDB&M, bears South 37° 26' East, a distance of 994.7 feet.**
6. The existing permitted point of diversion is located within
7. Proposed place of use **1.38 acres within the NE¼ of Section 12, T17S R48E MDB&M, including the area immediately around the existing point of diversion.**
8. Existing place of use **16.7 acres in Lot 1 (NE¼ NE¼) Section 12, T17S R48E MDB&M + 8.7 acres in Lot 2 (SE¼ NE¼) Section 12, T17S R48E MDB&M 25.4 Total Acres of which 1 acre being stripped**
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 **Existing pump and well to be converted to commercial use, including underground pipes, landscaping.**
12. Estimated cost of works **\$10,000**
13. Estimated time required to construct works **one year**
14. Estimated time required to complete the application of water to beneficial use **one year.**
15. Remarks:

By **Michael DeLee**
s/ **Michael DeLee**
P.O. Box 96
Amargosa Valley, NV 89020

Compared cac/cmF

Protested _____

68885
