ASSIGNED

No. 69034

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 AUG 06 2002

Returned to applicant for correction

Corrected application filed

Map filed AUG 06 2002 under 69032

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The applicant **Michael B. Stewart, Trustee of the Michael B. Stewart Living Trust dated April 2, 1991**, hereby makes application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Permit 62602**

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1. The source of water is **Underground**

2. The amount of water to be changed **0.07312 c.f.s. (13.16 Acre-Feet per Annum)**

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 **the SW¼ of the NW¼ of Section 15, T.22N., R.21E., M.D.B.&M., or at a point from which the NW corner of said Section 15 bears N. 8°32'12" W., a distance of 2,025.89 ft.**

6. The existing permitted point of diversion is located within **SW¼ NW¼ Section 15, T.22N., R.21E., M.D.B.&M., or at a point from which the West ¼ corner of said Section 15 bears S. 17°36'36" W., a distance of 1,064.45 ft. See map under Permit 61923.**

7. Proposed place of use **SW¼ NW¼, SW¼, Sec. 15; E½ NE¼, Sec. 16; all in T.22N., R.21E., M.D.B.&M.**

8. Existing place of use **NE¼ SE¼, Section 9; NW¼ NW¼, Section 10; NE¼ NE¼, SE¼ NE¼ Section 16; SW¼ NW¼, NE¼ SW¼, SE¼ SW¼, NW¼ SW¼, SW¼ SW¼, Section 15; all in T.22N., R.21E., M.D.B.&M. See map under Permit 61923.**

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 drilled well, pump, motor and sprinkler system.**

12. Estimated cost of works **Completed (See Permit 61923)**

13. Estimated time required to construct works **Completed (See Permit 61923)**

14. Estimated time required to complete the application of water to beneficial use **3 years**

15. Remarks: **Total combined duty of Applications to change Permits 61923, 62601, 62602,**

62603, 62604, 62771 and 62772 not to exceed 179.9 Acre-Feet Annually. This application is being filed to correct the point of diversion.

By **Gregory M. Bilyeu (Agent)**
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, NV 89521

Compared **cmf**/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 to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 62602 is issued subject to the terms and conditions imposed in said Permit 62602 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.

This permit is issued for the irrigation of 3.29 acres within the described place of use.

(CONTINUED ON PAGE 3)

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(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.073** cubic feet per second, **but not to exceed 13.16 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:

January 7, 2004

Proof of completion of work shall be filed before:

February 7, 2004

Water must be placed to beneficial use on or before:

January 7, 2007

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

February 7, 2007

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

February 7, 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 **7th** day of **January,** A.D. **2003**

Hugh Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____