

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 MAY 09 2003
 Returned to applicant for correction JUN 23 2003
 Corrected application filed JUN 30 2003
 Map filed JAN 16 2003 under 69446-T

The applicant **Laird and Dee Ann Whipple**, hereby makes application for permission to change the **Point of Diversion of a Portion of Permit 63148, Certificate 15397** of water heretofore appropriated under Permit 63148, Cert. 15397

1. The source of water is **underground**
2. The amount of water to be changed **300 Ac. Ft.**
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 in the **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5, T2S, R68E, MDM, or at a point from which the Southwest corner of said Section 5 bears S 25°12'31" W 562.29'**
6. The existing permitted point of diversion is located within the **NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T.2S., R68E. M.D.M;** at a point from which the Northeast corner of said Section 7 bears **N. 21°38'00" E 628.00'.**
7. Proposed place of use **6.33 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 7.09 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5; 28.11 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 25.29 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6; 8.56 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7; and 2.42 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, all in T.2S., R.68E., M.D.M.**
8. Existing place of use **6.33 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 7.09 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5; 28.11 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 25.29 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 6; 8.56 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7; and 2.42 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, all in T.2S., R.68E., M.D.M.**
9. Use will be from **January 1 to October 15** of each year.
10. Use was permitted from **January 1 to October 15** of each year.
11. Description of proposed works **Well, pump & motor and pipeline**
12. Estimated cost of works **\$45000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **For place of use, please use the supporting map for Permit 58586 and 58587. For the new point of diversion, please use the supporting map for the proposed change of the point of diversion under Permit 63149, Certificate 15398**

By **Lenard D. Smith**
 s/**Lenard D. Smith** Agent
 PO Box 443
 Caliente NV. 89008

Compared cmf/sam ag/ sam

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 a portion of the waters of an underground source as heretofore granted under Permit 63148, Certificate 15397 is issued subject to the terms and conditions imposed in said Permit 63148, Certificate 15397 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 63148, Certificate 15397; 63149, Certificate 15398; 70019 and Temporary Permit 69446-T shall not exceed 389.0 acre-feet annually.

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

(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 0.8874 cubic feet per second, but not to exceed 300 acre-feet per season, and not to exceed a seasonal duty of 5.0 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 13, 2005

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

September 13, 2005

Water must be placed to beneficial use on or before:

August 13, 2006

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

September 13, 2006

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

September 13, 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 13th day of August, A.D. 2004


State Engineer

Completion of work filed DEC 23 2004
Proof of beneficial use filed _____
Cultural map filed _____
Certificate No. _____ Issued _____

