

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 16 2003

Returned to applicant for correction

Corrected application filed

Map filed JUN 16 2003

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The applicant Kim K. Stewart and Kathleen L. Stewart, hereby makes application for permission to change the Point of Diversion of water heretofore appropriated under Permit 68871

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1. The source of water is **Underground**
2. The amount of water to be changed **0.7837 CFS, not to exceed 285.96 AFS**
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 **SW¼ SW¼, Section 27, T.12N., R.23E., M.D.B.&M., or at a point from which the SW corner of said Section 27 bears S. 84°30'30" W., a distance of 930 ft.**
6. The existing permitted point of diversion is located within **SW¼ SW¼ Section 27, T.12N., R.23E., M.D.B.&M., or at a point from which the SW corner of said Section 27 bears S. 11°15'38" W., a distance of 665 ft.**
7. Proposed place of use **92.7 acres as follows: 13.02 Ac. SW¼ NW¼, 21.83 Ac. NW¼ SW¼, 38.71 Ac. SW¼ SW¼, 19.14 Ac. SE¼ SW¼, all in Section 27, T.12N., R.23E., M.D.B.&M.**
8. Existing place of use **Unchanged**
9. Use will be from **April 1 to October 1** of each year.
10. Use was permitted from **April 1 to October 1** of each year.
11. Description of proposed works **Drilled and Cased well, equipped with motor, pump, meter and pipeline distribution system.**
12. Estimated cost of works **\$75,000.00**
13. Estimated time required to construct works **One (1) year**
14. Estimated time required to complete the application of water to beneficial use **Two (2) years**
15. Remarks: **Water being changed is supplemental to WRD Claims 22 & 75. This application is being filed to transfer the point of diversion. Existing point of diversion is not suitable as a well location to meet applicant's needs.**

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

Compared cmf/cac 1b/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 of the waters of an underground source as heretofore granted under Permit 68871 is issued subject to the terms and conditions imposed in said Permit 68871 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.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permit 70115 and any water of the Walker River Decree C-125, and storage water appurtenant to the place of use shall not exceed 285.96 acre-feet per season for the irrigation of 92.7 acres. The permit holder is responsible for insuring delivery of the entitled decreed and storage waters (surface waters) that are supplemental to this groundwater permit. In years that the Walker River Irrigation District declares a full allocation of decreed water to the C-125 decree claims supplemental to this permit, or is able to provide full delivery of storage water to lands supplemental to this permit, groundwater shall not be pumped from the well described in this permit. In years that the Walker River Irrigation District declares a reduced allocation of decreed or storage water to claims supplemental to this permit, then surface waters must be used in entirety before any groundwater can be pumped from the well to complete the allocated duty of acre-feet per acre. In years that the Walker River Irrigation District has no decreed or storage water, then groundwater can be pumped from well to provide the allocated duty for the permitted place of use.

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 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 0.7837 cubic feet per second, but not to exceed 285.96 acre-feet seasonally, and not to exceed a seasonal duty of 3.085 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 6, 2005

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

February 6, 2005

Water must be placed to beneficial use on or before:

January 6, 2006

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

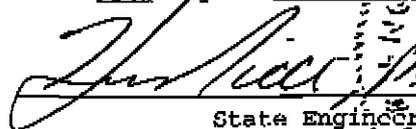
February 6, 2006

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

February 6, 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 6th day of January, A.D. 2004

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

