

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 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 06 2003 under 70300

The applicant **Daniel Edward Filippini & Eddyann U. Filippini** hereby make application for permission to change the **Place of Use** of water heretofore appropriated under **Permit #59102**

1. The source of water is **Underground**
2. The amount of water to be changed **5.4 c.f.s. (1440.0 ac-ft.)**
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 **same as existing**
6. The existing permitted point of diversion is located within **Lot 1 Section 6, T.29N., R.44E., M.D.M., at a point from which the E $\frac{1}{4}$ corner of said Section 6, bears S. 1° 30'E., 1334 ft. dist.**
7. Proposed place of use **all or portions of the following: T.29N., R43E., M.D.M., Section 1: Lot 3 & Lot 4; T.29N., R44E., M.D.M., Section 6: N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$; T.30N., R43E., Section 35: E $\frac{1}{2}$ and Section 36: W $\frac{1}{2}$.**
8. Existing place of use **Lot 1 (40.2ac); Lot 2 (39.8 ac); Lot 3 (38.8 ac); Lot 4 (33.7 ac); Lot 5 (33.7 ac); SE $\frac{1}{4}$ NW $\frac{1}{4}$ (39.0 ac); SW $\frac{1}{4}$ NE $\frac{1}{4}$ (39.8 ac); SE $\frac{1}{4}$ NE $\frac{1}{4}$ (40.2 ac); NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40.2 ac); all within Section 6, T.29N., R.44E., M.D.M.. SE $\frac{1}{4}$ SW $\frac{1}{4}$ (5.5 ac); SW $\frac{1}{4}$ SW $\frac{1}{4}$ (38.0 ac); NW $\frac{1}{4}$ SW $\frac{1}{4}$ (27.57 ac); SW $\frac{1}{4}$ NW $\frac{1}{4}$ (16.66 ac); and NW $\frac{1}{4}$ NW $\frac{1}{4}$ (5.56 ac); Section 36, T.30N., R.43E., M.D.M. NE $\frac{1}{4}$ SE $\frac{1}{4}$ (40.0 ac); SE $\frac{1}{4}$ SE $\frac{1}{4}$ (38.0 ac); SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2.25 ac) NW $\frac{1}{4}$ SE $\frac{1}{4}$ (8.83 ac); SW $\frac{1}{4}$ NE $\frac{1}{4}$ (2.59 ac); SE $\frac{1}{4}$ NE $\frac{1}{4}$ (39.80 ac); NE $\frac{1}{4}$ NE $\frac{1}{4}$ (25.29 ac); Section 35, T.30N., R43E., M.D.M. total 595.45 acres.**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **drilled well casing, turbine pump with electrical motor, pipelines, sprinkler system.**
12. Estimated cost of works **\$10,000.00**
13. Estimated time required to construct works **one year**
14. Estimated time required to complete the application of water to beneficial use **five years**

15. Remarks: water from this source will be co-mingled with that granted under Permit #59100, 59101 and Proof #01563. Owners have recently aacquired adjacent lands on which they seek to commence irrigation, within pre-described acreage limits.

s/William A. Nisbet
By William A. Nisbet Agent
421 Court Street
Elko, NV 89801

Compared sg/sam lb/cm³

Protcted _____

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 of the waters of an underground source as heretofore granted under Permit 59102 is issued subject to the terms and conditions imposed in said Permit 59102 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 total combined duty of water under Permits 70300, 70301, 70302 and Vested Claim 01563 shall not exceed 1891 acre-feet annually for the irrigation of 510.5 acres within the described place of use.

(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 5.4 cubic feet per second, but not to exceed 1440.0 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 2, 2005

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

February 2, 2005

Water must be placed to beneficial use on or before:

January 2, 2009

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

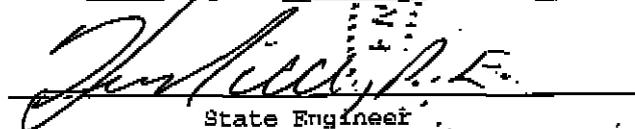
February 2, 2009

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

February 2, 2009

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

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 2nd day of January, A.D. 2004.


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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