

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 OCT 23 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 23 2003

The applicant **Cyanco** hereby makes application for permission to change the place of use and manner of use of water heretofore appropriated under **Permit 42887 Certificate 11236**

1. The source of water is **Underground**
2. The amount of water to be changed **1.096 cfs**
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 **within the NW¼ NE¼ of Section 6, T.35N., R.37E., MDB&M or at a point from which the N¼ corner of said Section 6 bears N 44°56' W 1840.32 feet.**
6. The existing permitted point of diversion is located within **unchanged**
7. Proposed place of use **102.2 acres within portions of Section 6, T.35N., R.37E., MDB&M and the S½ of Section 31, T.36N., R.37E., MDB&M**
8. Existing place of use **38.6 acres in the NE¼ NE¼, 26.9 acres in the NW¼ NE¼, 15.3 acres in the SW¼ NE¼, 19.0 acres in the SE¼ NE¼, 0.6 acres in the NW¼ SE¼, and 1.8 acres in the NE¼ NW¼, all within Section 6, T.35N., R.37E., MDB&M—102.2 acres total**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **March 1 to November 31** of each year.
11. Description of proposed works **drilled well with pump and motor and irrigation system**
12. Estimated cost of works **\$5,000±**
13. Estimated time required to construct works **Complete; see well log filed under Permit 42887**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **Permittee has acquired Section 31 immediately North of the existing place of use. Permittee wishes to be able to use a portion of this section for irrigation, moving the irrigated field away from the plant.**

Desert Mountain Surveying as agent
By **John H. Milton III, PLS, SWRS**
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared sg/CME gkl

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 place of use and manner of use of the waters of an underground source as heretofore granted under Permit 42887, Certificate 11236 is issued subject to the terms and conditions imposed in said Permit 42887, Certificate 11236 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The total combined duty of water under Permit 54244, Certificate 15038; Permit 54245, Certificate 15037; Permits 70527 and 70528 shall not exceed 1192.8 acre-feet annually.

The total combined rate of diversion and duty of water under this permit and Permit 54245, Certificate 15037, is limited to 1.504 cubic feet per second and 408.80 acre-feet per annum, respectively, for the irrigation of 102.20 acres.

(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 1.096 cubic feet per second, not to exceed 408.80 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

January 27, 2007

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

February 27, 2007

Water must be placed to beneficial use on or before:

January 27, 2011

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

February 27, 2011

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

February 27, 2011

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of January A.D. 2006



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____