

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 DEC 02 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 02 2003

The applicant **Michael Heizer** hereby makes application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Permit No. 61948**

1. The source of water is **Underground**
2. The amount of water to be changed **0.5 cfs**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation & Domestic Purposes**
5. The water is to be diverted at the following point **In the NW¼ SW¼ Section 14, T.2N., R.58E., M.D.B.&M., or at a point from which the NW corner of said Section 14 bears N. 18°46'18"W., a distance of 2,971.13 feet.**
6. The existing permitted point of diversion is located within **the NW¼ SW¼ Section 14, T.2N., R.58E., M.D.B.&M., or at a point from which the NW corner of said Section 14 bears N.09°12'14"W., a distance of 2,894.03 feet.**
7. Proposed place of use **In portions of the S½ NW¼ and N½ SW¼ of Section 14, T.2N., R.58E., M.D.B.&M., 22 Acres**
8. Existing place of use **Portions of the S½ NW¼ and the N½ SW¼ of Section 14, T.2N., R.58E., M.D.B.&M. All 22 Acres of the original permit will be removed and reestablished where the fields exist.**
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 **The water will be put into a pipeline which will have risers. The risers will feed the water to wheel line sprinkler systems.**
12. Estimated cost of works **\$175,000.00**
13. Estimated time required to construct works **All works are constructed and the fields are in production. We are Requesting this change to correct Point of Diversion and Place of Use locations prior to Proof of Beneficial Use.**
14. Estimated time required to complete the application of water to beneficial use **1 year**

15. Remarks:

By **s/Dean Neubauer**
824 East Aultman Street
Ely, Nevada 89301

Compared sg/cm^f ag/cm^f

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 and place of use of the waters of an underground source as heretofore granted under Permit 61948 is issued subject to the terms and conditions imposed in said Permit 61948 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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 22 acres within the described place of use.

Should Las Vegas Valley Water District Application 53960 and 53963 be considered in the future, the amount of water available in Garden Valley would be reduced by the amount already appropriated, and that this "amount already appropriated" will include appropriations under Permit 70669.

(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 0.50 cubic feet per second, but not to exceed 88.0 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:

N/A

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

N/A

Water must be placed to beneficial use on or before:

November 12, 2005

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

December 12, 2005

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

December 12, 2005

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

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 22nd day of April, A.D. 2004


State Engineer

Completion of work filed DEC 7 2000 under 61948
Proof of beneficial use filed DEC 06 2004
Cultural map filed DEC 06 2004
Certificate No. 16582 Issued 10-10-05