

**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 05 2003

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed NOV 29 2001 under 68242

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The applicant **Farm Road LLC** hereby makes application for permission to change the **Manner of Use** of water heretofore appropriated under **Permit 68242**

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1. The source of water is **an underground source in Nye County, Nv**
2. The amount of water to be changed **0.23 CFS., not to exceed 36.4 AFA.**
3. The water to be used for **Commercial Nursery and Domestic Use**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **within the NW.¼ NW.¼ of Section 27, T.16S., R.49E., M.D.M., or at a point from which the NW. corner of said Section 27 bears N. 83°39'10" W., a distance of 969 feet. See accompanying map for Permit 68242 for Point of Diversion & Place of Use locations.**
6. The existing permitted point of diversion is located within **the NW.¼ NW.¼ of Section 27, T.16S., R.49E., M.D.M., or at a point from which the NW. corner of said Section 27 bears N. 83°39'10" W., a distance of 969 feet**
7. Proposed place of use **APN. 19-181-02 40 acres within the NW.¼ NW.¼ of Section 27, T.16S., R.49E., M.D.M. 40 acres within the SW.¼ NW.¼ of Section 27, T.16S., R.49E., M.D.M. 20 acres within the W.½ NE.¼ NW.¼ of Section 27, T.16S., R.49E., M.D.M. 100 acres total**
8. Existing place of use **APN. 19-181-02 40 acres within the NW.¼ NW.¼ of Section 27, T.16S., R.49E., M.D.M. 40 acres within the SW.¼ NW.¼ of Section 27, T.16S., R.49E., M.D.M. 20 acres within the W.½ NE.¼ NW.¼ of Section 27, T.16S., R.49E., M.D.M. 100 acres total**
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 **A 14" dia. X approximately 250' deep driven well, with steel casing, and a 3 hp. submersible pump, pipe, and wire**
12. Estimated cost of works **\$20,000**
13. Estimated time required to construct works **1 year, presently completed, item 11**
14. Estimated time required to complete the application of water to beneficial use **3 years**

15. Remarks: This "Change in Manner of Use" is needed because seedling nursery trees are being planted over the entire 100 acres, which will have a lower duty of water than the present 13.6 acres allowed in the State Engineer's terms of Permit 68242 will accommodate. These trees are to be removed on a periodic basis, and replaced. See accompanying map for Permit 68242 for Point of diversion & Place of Use locations.

By Lisle Lowe (agent)  
 s/ Lisle Lowe  
 HCR 69, Box 400 E  
 Amargosa Valley, Nv, 89020

Compared sg/cmf lt/ gkl

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 manner of use of the waters of an underground source as heretofore granted under Permit 68242 is issued subject to the terms and conditions imposed in said Permit 68242 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 70673 and 70674 shall not exceed 54.4 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.

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 0.23 cubic feet per second, **but not to exceed 36.4 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:

**March 17, 2007**

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

**April 17, 2007**

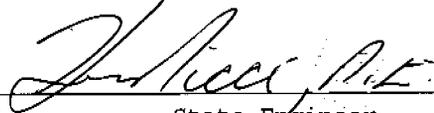
Map in support of proof of beneficial use shall be filed on or before:

**April 17, 2007**

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

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

this **17th** day of **March** A.D. **2005**



\_\_\_\_\_  
State Engineer

Completion of work filed 9/22/2003 under 67842 \_\_\_\_\_

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

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

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