

AMENDED
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 26 2003

Returned to applicant for correction JAN 12 2004

Corrected application filed _____

Map filed JAN 20 2004

The applicant **Carter-Griffin, Inc.**, hereby makes application for permission to change the **Point of Diversion, Manner of Use and Place of Use** of water heretofore appropriated under **Permit No. 42986**

1. The source of water is **Underground**
2. The amount of water to be changed **3.0 cfs**
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 **In the SE¼ SE¼ Section 14, T.10N., R.61E., M.D.B.&M., or at a point from which the SE corner of Section 13, T.10N., R.61E., M.D.B.&M., bears S. 88°13'34" E., a distance of 5,468.26 feet.**
6. The existing permitted point of diversion is located within **the SE¼ NE¼ Section 14, T.10N., R.61E., M.D.B.&M., or at a point from which the SE corner of Section 13, T.10N., R.61E., M.D.B.&M., bears S. 56°52'41" E., a distance of 6,585.68 feet.**
7. Proposed place of use **In portions of the SE¼, E½ SW¼, S½ SE¼ NW¼ and S½ S½ NE¼ of Section 14, T.10N., R.61E., M.D.B.&M., 160 Acres**
8. Existing place of use **E½ E½ of Section 14, T.10N., R.61E. M.D.B.&M.**
9. Use will be from **April 2 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 well will be drilled and the water put into a pipeline which will Feed a sprinkler system.**
12. Estimated cost of works **\$200,000.00**
13. Estimated time required to construct works **5 years**
14. Estimated time required to complete the application of water to beneficial use **10 year**
15. Remarks:

By **s/Dean Neubauer, Agent**
824 E. Aultman Street
Ely, NV 89301

Compared cmf/sam ag/sam

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, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 42986 is issued subject to the terms and conditions imposed in said Permit 42986 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. 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.

This permit is issued for the irrigation of 160 acres within the described place of use.

Portions of the proposed place of use under this permit are supplemental to surface water under Permits 2384, Certificate 444 and 11076, Certificate 3351 with the understanding that the total duty of water shall not exceed 4.0 acre-feet annually from any and/or all sources.

(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 3.0 cubic feet per second, **but not to exceed 640 acre-feet seasonally, and not to exceed a seasonal 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:

December 9, 2006

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

January 9, 2007

Water must be placed to beneficial use on or before:

December 9, 2008

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

January 9, 2009

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

January 9, 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 9th day of December, A.D. 2004


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____