

TEMPORARY

Temporary

No. 70931-T

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 MAR 05 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 05 2004

The applicant **Smith Ranch Partnership**, hereby make application for permission to change the **place of use of a portion** of water heretofore appropriated under **Permit 18368, Certificate 5689**

1. The source of water is **existing well underground**
2. The amount of water to be changed **32 ac. ft.**
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 **same as Permit 18368, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 36, T12N, R23E, MDB&M, or at a point from which the SE corner of said Sec. 36 bears S. 88 $^{\circ}$ 33' E., 1,975.60 feet**
6. The existing permitted point of diversion is located within **same**
7. Proposed place of use **within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec 36, T12N, R23E MDB&M**
8. Existing place of use **8 acres within the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec 36, T12N, R23E, MDB&M the 8 acres that are part of Permit 18368 and not supplemental to Permit 16628**
9. Use will be from **April 1st to November 1st** of each year.
10. Use was permitted from **April 1st to November 1st** of each year.
11. Description of proposed works **centrifigul pump, drip irrigation**
12. Estimated cost of works **\$2000.00**
13. Estimated time required to construct works **3 wks**
14. Estimated time required to complete the application of water to beneficial use **N/A**
15. Remarks: **Use PBU maps for Permit 18368 and 16628 on file in State Engineer's Office, and paper map with this application**

By **James G. Smith**
s/James G. Smith
100 Burke Dr.
Wellington, NV 89444

Compared cmf/sam ag/cmf

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 temporary permit to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 18368, Certificate 5689 is issued subject to the terms and conditions imposed in said Permit 18368, Certificate 5689 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary 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 Permit 16628, Certificate 5317; Permit 18368, Certificate 5689; and Temporary Permit 70931-T shall not exceed 1328.0 acre-feet seasonally.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 1, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.07 cubic feet per second, **but not to exceed 32.0 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:

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

Water must be placed to beneficial use on or before:

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

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

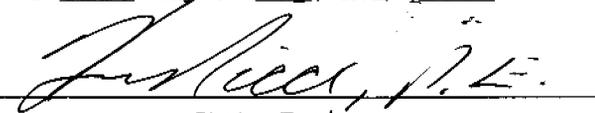
TEMPORARY

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 21st day of May, A.D. 2004


State Engineer

EXPIRED
DATE NOV 01 2005