

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 MAR 10 2004

Returned to applicant for correction APR 02 2004

Corrected application filed APR 20 2004

Map filed APR 20 2004

The applicant **Mark Moyle Farms, LLC**, hereby make application for permission to change the **Point of Diversion, Place and Manner of Use of a portion** of water heretofore appropriated under **Permit No. 22352, Cert. No. 6309**

1. The source of water is **Underground**
2. The amount of water to be changed **502.72 AF**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, T.22N., R.54E., MDB&M., or at a point from which the South $\frac{1}{4}$ corner of said Section 19 bears S. 43°50' W. a distance of 208 feet for the pivot.**
6. The existing permitted point of diversion is located within **the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, T.22N., R.54E., MDB&M., or at a point from which the East $\frac{1}{4}$ corner of said Section 19 bears N. 45°35' E. a distance of 1909.80 feet.**
7. Proposed place of use **Circular portion of the SE $\frac{1}{4}$ of Section 19, T.22N., R.54E., MDB&M., 125.68 acres. In this SE $\frac{1}{4}$, 32.32 acres to remain outside of the pivot area (corners of the SE $\frac{1}{4}$ Section) under the existing Application No. 22352,**
8. Existing place of use **SE $\frac{1}{4}$ of Section 19, T.22N., R.54E., MDB&M. See proposed place of use for area stripped**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **April 1 to December 31** of each year.
11. Description of proposed works **pipe line to pivot center from the new well with pump. Pipe lines from the existing well to the four corners for continued use of Permit No. 22352**
12. Estimated cost of works **\$20,000.00**
13. Estimated time required to construct works **within this year (2004)**
14. Estimated time required to complete the application of water to beneficial use **two years**
15. Remarks:

By **Ernest E. Muller, Sr. SWRS 702**
s/Ernest E. Muller
750 W. Pueblo St.
Reno, NV., 89509

Compared cmf/sam lt/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 point of diversion, manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 22352, Certificate 6309 is issued subject to the terms and conditions imposed in said Permit 22352, Certificate 6309 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.

Issuance of Permit 70940 will expire Permit 71189-T.
(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 2.22 cubic feet per second, **but not to exceed 502.72 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:

March 17, 2006

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

April 17, 2006

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

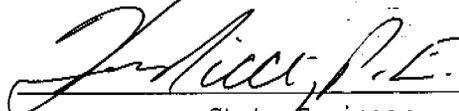
Map in support of proof of beneficial use shall be filed on or before:

N/A

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 _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____