

TEMPORARY

No. 71293-T

TEMPORARY
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 JUN 04 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 29 2002 under 68844-T

The applicant **Edward J. Hayes & Constance G Hayes** hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **all of Permit No. 63455, Certificate No. 15938**

1. The source of water is **underground**
2. The amount of water to be changed **0.125 cfs, 20.0 acre feet annually**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **the SW¼ of the NE¼ of Section 8, T.22N., R.21E., M.D.M., at a point from which the northwest corner of said Section 8 bears North 64°35'19" West a distance of 3312.50 feet. See map supporting Applications 68845, 68847 and 68849.**
6. The existing permitted point of diversion is located within **the NW¼ of the NE¼ of Section 9, T.22N., R.21E., M.D.M., or at a point from which the northeast corner of said Section 9 bears North 64°50'00" East a distance of 2940.0 feet. See Map No. 63064.**
7. Proposed place of use **5.0 acres within the NW¼ of the NE¼ of Section 9, T.22N., R.21E., M.D.M. See map supporting Proof of Beneficial Use under Permit No. 63455.**
8. Existing place of use **(The Place of Use has not changed.)**
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 **Existing well, pump and irrigation system.**
12. Estimated cost of works **Completed.**
13. Estimated time required to construct works **Completed.**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **This water will be used by Fahnestock Enterprises to cultivate sod on property owned by Edward and Constance Hayes during the 2004 growing season. A permanent application to change this right may be filed in the future when the status of the Hayes well is**

71293-T

determined. An Agreement between Hayes and Fahnestock will be prepared and filed with any permanent application.

By s/George G. Lindesmith
George G. Lindesmith
Tri State Surveying 1925 E. Prater Way
Sparks, Nevada 89434

Compared sg/cmf 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 temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 63455, Certificate 15938 is issued subject to the terms and conditions imposed in said Permit 63455, Certificate 15938 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued for the irrigation of 5.0 acres within the described place of use.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **August 10, 2005** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(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 0.125 cubic feet per second, but not to exceed 20.0 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:

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 11th day of August, A.D. 2004



State Engineer

