

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 09 2005

Returned to applicant for correction APR 01 2005

Corrected application filed MAY 20 2005

Map filed MAY 20 2005

The **Mortenson Partners** hereby make application for permission to change the **Place of Use** of water heretofore appropriated under **Permit No. 43070**

1. The source of water is **Rice Creek**
2. The amount of water to be changed **789.15 Acre Feet Annually-as Decreed**
3. The water to be used for **As Decreed**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **NW¹/₄ NE¹/₄ Sec. 24, T.36N., R61E., MDB&M, or at a point from which the NE corner of said Sec. 24 bears N 84°31'18"E. a distance of 2196.14 feet. Refer to supporting map filed under Permit No. 43070.**
6. The existing permitted point of diversion is located within **Same as proposed.**
7. Proposed place of use **See Attachment Refer to supporting map filed with the Application.**
8. Existing place of use **See Attachment Refer to supporting map filed under Permit No. 43070**
9. Use will be from **As Decreed** to **As Decreed** of each year.
10. Use was permitted from **As Decreed** to **As Decreed** of each year.
11. Description of proposed works **Diversion by existing inlet structure into pipeline for new Pivot irrigation system.**
12. Estimated cost of works
13. Estimated time required to construct works **Two (2) Years**
14. Estimated time required to complete the application of water to beneficial use **Five (5) Years**

15. Remarks:

By SUZAN L. FERGUSON - AGENT
s/ SUZAN L FERGUSON
SUMMIT ENGINEERING - 5405 MAE ANNE AVE.
RENO, NEVADA 89523

Compared mt/gkl dl/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 place of use of Permit 43070 which changed the place of use of Rice Creek, as heretofore appropriated under Proof 01703 as appears in the Rice Creek Decree, in the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is issued for the irrigation of 268.70 acres within the described place of use.

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.

The issuance of this permit totally abrogates Permit 43070.
(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 788.85 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 9, 2007

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

April 9, 2007

Water must be placed to beneficial use on or before:

March 9, 2010

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

April 9, 2010

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

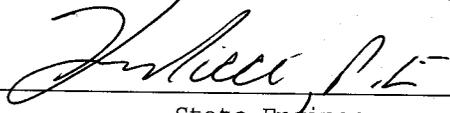
April 9, 2010

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 March, A.D. 2006



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

**AMENDED
ATTACHMENT**

No. 7. Proposed Place of Use:

ACRES	QTR/QTR	SECTION	TOWNSHIP/RANGE
20.70	SW1/4 SE1/4	17	T36N, R62E, M.D.M.
35.45	NW1/4 NE1/4	20	T36N, R62E, M.D.M.
3.85	SW1/4 NE1/4	20	T36N, R62E, M.D.M.
60.00			

ACRES - ALONG WITH EXISTING ACREAGE *NOT TO EXCEED 268.70 ACS.*

*SLF
5/24/05*

No. 8. Existing Place of Use: Under Permit No. 43070

ACRES	QTR/QTR	SECTION	TOWNSHIP/RANGE
1.80	NW1/4 SW1/4	17	T36N, R62E, M.D.M.
10.40	SW1/4 SW1/4	17	T36N, R62E, M.D.M.
1.40	SE1/4 SW1/4	17	T36N, R62E, M.D.M.
30.20	NE1/4 SW1/4	18	T36N, R62E, M.D.M.
7.70	SE1/4 SW1/4	18	T36N, R62E, M.D.M.
19.60	NW1/4 SE1/4	18	T36N, R62E, M.D.M.
37.40	NE1/4 SE1/4	18	T36N, R62E, M.D.M.
25.70	SE1/4 SE1/4	18	T36N, R62E, M.D.M.
32.30	NW1/4 NW1/4	20	T36N, R62E, M.D.M.
39.40	NE1/4 NW1/4	20	T36N, R62E, M.D.M.
22.00	SW1/4 NW1/4	20	T36N, R62E, M.D.M.
40.80	SE1/4 NW1/4	20	T36N, R62E, M.D.M.
268.70	TOTAL		
	ACRES		

RECEIVED
05 MAY 20 PM 12:03
STATE ENGINEERS OFFICE