No. 73189

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 **AUG 29 2005**

Returned to applicant for correction **OCT 11 2005**

Corrected application filed **OCT 27 2005**

Map filed **NOV 21 2005**

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The applicant **DONALD E. WEBSTER AND E. CANDACE WEBSTER, H. & W JTNROS AN UND. 50% INT. AND CHRISTOPHER S. BOYAJIAN, AN UNMARRIED MAN, AN UND. 50% INTEREST** hereby makes application for permission to change the **Point of Diversion and Place of use** of water heretofore appropriated under **Permit #69591**

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1. The source of water is **UNDERGROUND SOURCE**

2. The amount of water to be changed **15.7 AFA .0453 CFS**

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 **WITHIN THE NE¼ OF THE SE¼ OF SECTION 30, T.20S., R.53E., M.D.B.&M., NYE COUNTY, NEVADA AT A POINT FROM WHICH THE EAST ¼ CORNER OF SAID SECTION 30 BEARS N44°21'53"E A DISTANCE OF 70.55' FEET**

6. The existing permitted point of diversion is located within **THE NW¼ OF THE SW¼ OF SECTION 29, T.20S., R.53E., M.D.B.&M., NYE COUNTY, NEVADA AT A POINT FROM WHICH THE W¼ CORNER OF SAID SECTION 29 BEARS N10°02'27"W A DISTANCE OF 190.89' FEET.**

7. Proposed place of use **WITHIN THE NE¼ OF THE SE¼ OF SECTION 30, T.20S., R.53E., M.D.B.&M., NYE COUNTY, NEVADA BEING A.P.N. #36-451-14 CONSISTING OF 41.039 ACRES**

8. Existing place of use **WITHIN THE NE¼ OF THE SE¼ OF SECTION 30, T.20S., R.53E., M.D.B.&M., NYE COUNTY, NEVADA, CONSISTING OF 41.039 AC'S AND A PORTION OF THE NW¼ OF THE SW¼ OF SECTION 29, T.20S., R.53E., M.D.B.&M., ALSO KNOWN AS LOT-3, BLOCK-1 CALVADA VALLEY UNIT #5 BEING 1.125 AC'S THE PORTION TO BE REMOVED FROM IRRIGATION**

9. Use will be from **JANUARY 1ST** to **DECEMBER 31ST** of each year.

10. Use was permitted from **JANUARY 1ST** to **DECEMBER 31ST** of each year.

11. Description of proposed works **PROPOSED WELL CASING, SUBMERSIBLE PUMP, TOTALIZING METER, PRESURE TANK AND DISTRIBUTION SYSTEM**

12. Estimated cost of works **$10,000**

13. Estimated time required to construct works 2-**YEARS**

14. Estimated time required to complete the application of water to beneficial use 5-**YEARS**

15. Remarks:

By RONNIE M. PHILLIPS, AGENT
s/ RONNIE M. PHILLIPS
1240 E. STATE STREET, SUITE #101
PAHRUMP, NEVADA 89048

Compared bk/sam lt/ gkl

Protested

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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 and place of use of the waters of an underground source as heretofore granted under Permit 69591 is issued subject to the terms and conditions imposed in said Permit 69591 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 total combined duty of water under Permits 73188 and 73189 shall not exceed 56.55 acre-feet annually for the irrigation of 11.31 acres within the described place of use.

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

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

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(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.0453** cubic feet per second, **and not to exceed 15.7 acre-feet annually, and not to exceed a yearly duty of 5.0 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:

April 11, 2008

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

May 11, 2008

Water must be placed to beneficial use on or before:

April 11, 2010

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

May 11, 2010

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

May 11, 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 **11th** day of **April,** A.D. **2006**

Hugh Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____