

Second Amended  
TEMPORARY

No. 74371T

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 09 2006

Returned to applicant for correction \_\_\_\_\_

Corrected application filed JUN 27 2006

Map filed SEP 11 1985 under 49373

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The applicant **Fish Springs Ranch, LLC** hereby make application for permission to change the **Place of Use, Manner of Use of a portion** of water heretofore appropriated under **Permit Number 49268**

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1. The source of water is **Underground**
2. The amount of water to be changed **1.055 cfs (250 acre-feet)**
3. The water to be used for **Construction**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **Within the NW/4 SE/4, Section 26, T.26N, R. 18 E., M.D.B.&M or at a point from which the E/4 corner of Section 25 T. 26N, R. 18 E., M.D.B.&M bears N. 87° 25' 38" E., a distance of 7,751.25 feet**
6. The existing permitted point of diversion is located within **Within the NW/4 SE/4, Section 26, T.26N, R. 18 E., M.D.B.&M or at a point from which the E/4 corner of Section 25 T. 26N, R. 18 E., M.D.B.&M bears N 87°25'38" E., a distance of 7,751.25 feet Same as #5, no change**
7. Proposed place of use **Please see attached sheet**
8. Existing place of use **SE/4, NW/4, SW/4, S/2 SW/4, Section 22 (280 ac); W/2 SW/4, Section 23 (76 ac); NW/4, N/2 NE/4, SW/4 NE/4, Section 27 (280 ac); Section 33 (640 ac); N/2 SE/4, Section 26 (80 ac); NW/4 SW/4, NE/4 SW/4, W/2 NW/4, SE/4 NW/4, Section 25 (89 ac); T.26 N., R. 18 E., M. D. B. & M., total, 1,445 acres**
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 **pump, motor and water truck**
12. Estimated cost of works **N/A**
13. Estimated time required to construct works **existing well ("Wilson") with pump and motor**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **This temporary application is being submitted for the construction of water importation infrastructure including a pipeline, pump station and electrical substation Please see the attached map for the location of the proposed Point of Diversion Additional Maps are provided depicting the Place of Use for the proposed pipeline and electrical substation.**

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Consumptive use will be less than 250.0 acre-feet

By **Jennifer Morgan**  
s/ **Jennifer Morgan**  
**3480 GS Richards Boulevard, Suite 101**  
**Carson City, NV 89703**

Compared sc/ dr lb/ 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 temporary permit to change the place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 49268 is issued subject to the terms and conditions imposed in said Permit 49268 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on August 6, 2007 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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.055 cubic feet per second, but not to exceed 250.07 acre-feet annually.

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

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

**N/A-Temporary**

Water must be placed to beneficial use on or before:

**N/A-Temporary**

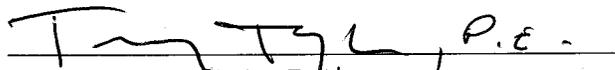
Proof of the application of water to beneficial use shall be filed on or before:

**N/A-Temporary**

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

**N/A-Temporary**

IN TESTIMONY WHEREOF, I, Tracy Taylor, P.E.,  
State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,  
this 7th day of August A.D. 2006

  
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State Engineer

**Township 26 North, Range 19 East, M.D.M.**

- Section 09
- Section 10
- Section 15
- Section 16
- Section 20
- Section 29
- Section 30

**Township 26 North, Range 18 East, M.D.M.**

- Section 25
- Section 26
- Section 27
- Section 33
- Section 34

**Township 25 North, Range 18 East, M.D.M.**

- Section 03
- Section 04
- Section 10
- Section 14
- Section 15
- Section 23
- Section 26
- Section 35
- Section 36

**Township 24 North, Range 18 East, M.D.M.**

- Section 01
- Section 12
- Section 13
- Section 24

**Township 24 North, Range 19 East, M.D.M.**

- Section 19
- Section 30
- Section 31

STATE ENGINEER OFFICE  
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**Township 23 North, Range 19 East, M.D.M.**

- Section 04
- Section 05
- Section 09
- Section 10
- Section 15
- Section 23
- Section 25
- Section 26
- Section 36

**Township 22 North, Range 19 East, M.D.M.**

- Section 01
- Section 02
- Section 11
- Section 14
- Section 23
- Section 26
- Section 27
- Section 34
- Section 35

**Township 2 North, Range 19 East, M.D.M.**

- Section 02
- Section 03