THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**HANK & MARIAN FILIPPINI FAMILY TRUST DATED DECEMBER 22, 2003**
Source:	**UNDERGROUND**
Basin:	**LOWER REESE RIVER VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**05/17/1965**

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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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 51711, Certificate 12515, is issued subject to the terms and conditions imposed in said Permit 51711, Certificate 12515 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 74392, 74393, 74924, 77789 and 77790 shall not exceed 540 acre-feet annually.

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

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.814 cubic feet per second or 264.14 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 proof of completion of work shall be filed on or before: **N/A**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **January 8, 2010**

Map in support of proof of beneficial use shall be filed on or before: **January 8, 2010**

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of **April**, A.D. **2009**

for K. Hull P.E.
State Engineer

Completion of work filed January 28, 2008 under 74392

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

No. 74924

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 OCT 18 2006

Returned to applicant for correction OCT 31 2006

Corrected application filed NOV 06 2006

Map filed JUL 27 2006 under 74392

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The applicant **Henry A. Filippini and Marian Filippini as trustees of the Hank & Marian Filippini Family Trust dated December 22, 2003** hereby makes application for permission to change the **Point of Diversion, Place of Use, and Manner of Use of a portion** of water heretofore appropriated under **Permit No. 51711, Certificate No. 12515**

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1. The source of water is **Underground**

2. The amount of water to be changed **0.814 cfs 264.14 acre feet annually**

3. The water to be used for **Irrigation**

4. The water heretofore permitted for **Mining, Milling, and Domestic**

5. The water is to be diverted at the following point **NW¼ NW¼ of Section 16, T.29N., R.43E., M.D.B. & M., at a point from which the Southwest corner of said Section 16, bears S 18°11'38" W, 4209.17 feet.**

6. The existing permitted point of diversion is located within **SW¼ NW¼ of Section 28, T.29N., R.43E., M.D.B.&M., or at a point from which the West ¼ corner of said Section 28, bears S 50° 00' 00" W, a distance of 59.00 feet.**

7. Proposed place of use **The NE¼ of Section 17, T.29N., R.43E., M.D.B.&M. (66.035 acres to be irrigated) (See Remarks)**

8. Existing place of use **See Attached Sheet**

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 **Drilled well, pump motor and center pivot.**

12. Estimated cost of works **$20,000.00**

13. Estimated time required to construct works **3 years**

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

74924

15. Remarks: **The waters under this application, application no. 74392, and application 74393 are to be co-mingled to irrigate a total of 135.00 acres within the described place of use. Please use the map submitted under permit 51711 to illustrate the existing point of diversion and place of use and the map submitted under applications 74392 and 74393 to illustrate the proposed point of diversion and place of use in support of this application.**

By Robert E. Morley, High Desert Engineering
s/ Robert E. Morley
640 Idaho Street
Elko, Nevada 89801

Compared gkl/ SC

Protested

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Item 8: Existing Place of Use

T.30 N., R.42 E., M.D.B. & M.
All of Sections 26, 27, 34, 35, 36

T.30 N., R.43 E., M.D.B. & M.
All of Section 30

T.29 N., R.42 E., M.D.B. & M.
All of Sections 1, 2, 3, 10, 11, 12, 13, 14, S1/2 of Section 15, E1/2 of Section 16, all of Sections 23, 24, 25, 26, S1/2 of Section 27, S1/2 of Section 28, S1/2 of Section 29, SE1/4 of Section 30, E1/2 of Section 31, all of Sections 32, 33, 34, 35, 36

T.29 N., R.43 E., M.D.B. & M.
All of Section 4, SW1/4 of Section 5, all of Sections 6, 7, W1/2 of Section 8, all of Section 10, S1/2 of Section 14, E1/2 of Section 16, W1/2 of Section 17, all of Sections 18, 19, 20, 21, 22, W1/2 of Section 23, all of Sections 24, 25, 26, 27, S1/2 of Section 28, all of Sections 29, 30, 31, 32, 33, 34, W1/2, SE1/4, SE1/4 NE1/4 of Section 35, all of Section 36

T.28 N., R.42 E., M.D.B. & M.
All of Sections 1, 2, 3, 4, 5, N1/2 of Section 8, all of Sections 9, 10, 11, 12, 13, 14, 15, 22, 23, 24

T.28 N., R.43 E., M.D.B. & M.
All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27