

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 DEC 29 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 11 2007

The applicant **PIV, LLC** hereby makes application for permission to change the **the point of diversion** of water heretofore appropriated under **Permit 73558**

1. The source of water is **underground**
2. The amount of water to be changed **0.27 c.f.s. 103.8 a.f.a.**
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 **In the Northwest Quarter (NW¹/₄) of the Southwest Quarter (SW¹/₄) of Section 4, T. 20 S., R. 53 E., M.D.M., or at a point from which the West Quarter (W¹/₄) corner of said Section 4 bears N 13°19'43" W at a distance of 713.7 feet.**
6. The existing permitted point of diversion is located within **the Northwest Quarter (NW¹/₄) of the Southwest Quarter (SW¹/₄) of Section 4, T. 20 S., R. 53 E., M.D.M., or at a point from which the West Quarter (W¹/₄) corner of said Section 4 bears N 81° 57'24" W at a distance of 756.92 feet.**
7. Proposed place of use **within a portion of the Southwest Quarter (SW¹/₄) of Section 4, T. 20 S., R. 53 E., M.D.B.&M**
8. Existing place of use **within a portion of the Southwest Quarter (SW¹/₄) of Section 4, T. 20 S., R. 53 E., M.D.B.&M**
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 **well, water lines and appurtenances**
12. Estimated cost of works **\$30,000**
13. Estimated time required to construct works **well completed under base right**
14. Estimated time required to complete the application of water to beneficial use **five (5) years**

15. Remarks: Temporary permit is being applied for to allow water usage from a well drilled in the wrong location from the permitted point of diversion under the base right. A permanent change application is being filed herewith

By Tom Driggs
 s/ Tom Driggs
 400 S. Fourth St., 3rd Floor
 Las Vegas, NV 89101

Compared W/ gkl W/ 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 point of diversion of the waters of an underground source as heretofore granted under Permit 73558 is issued subject to the terms and conditions imposed in said Permit 73558 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 total combined duty of water under Temporary Permits 75219T and 75220T shall not exceed 103.8 acre-feet annually for the irrigation of 20.76 acres within the described place of use.

The total combined duty of water under Temporary Permits 75219T, 75220T, 75221T and 75222T shall not exceed 255.05 acre-feet annually.

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

Any application to change the manner of use granted under this temporary permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on February 29, 2008 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.266 cubic feet per second, but not to exceed 103.8 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 proof of completion of work shall be filed on or before:

N/A-Temporary

Water must be placed to beneficial use and 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 1st day of March, A.D. 2007

Tracy Taylor, P.E.
State Engineer