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:	**RAYMOND LAIRD WHIPPLE AND DEE ANN WHIPPLE**
Source:	**UNDERGROUND**
Basin:	**PANACA VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**05/05/1948**

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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 a portion of the waters of an underground source as heretofore granted under Permit 12435, Certificate 4062, is issued subject to the terms and conditions imposed in said Permit 12435, Certificate 4062 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 Permit 63148, Certificate 15397; Permits 70019, 71336, 74559 and 76246 shall not exceed 462.6 acre-feet seasonally.

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

Any well drilled under Permit 12435, Certificate 4062, shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within one year from the issuance of this permit.

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 0.1521 cubic feet per second or 73.6 acre-feet annually, and not to exceed an annual duty of 5.0 acre-feet per acre of land irrigated from and and/or all sources.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **August 13, 2010**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **August 13, 2012**
Map in support of proof of beneficial use shall be filed on or before: **August 13, 2012**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of **August**, A.D. **2009**

K. Hall P.E
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Serial No. 76246

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office SEP 07 2007

Returned to applicant for correction SEP 19 2007

Corrected application filed OCT 05 2007 Map filed SEP 05 2006 under 74559

The applicant Raymond Laird Whipple and Dee Ann Whipple

HC34 Box 210 (Street and No. or P.O. Box No.) of Caliente (City or Town)

Nevada 89008 (State and Zip Code No.), hereby make(s) application for permission to change the

☒ Point of diversion ☒ Place of use ☒ Manner of use ☒ of a portion

of water heretofore appropriated under Permit 12435, C.4062

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is underground
   Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.1521 cfs 73.6 AF
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation
   Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.
4. The water heretofore used for irrigation
   If for stock state number and kind of animals.
5. The water is to be diverted at the following point in the SW¼SW¼ section 5 T25 R68E, M.D.M. at a point from which the southwest corner of said Section 5 bears S25°12'31" W 562.29'; which point is the same as for Permit 71336
   Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within the NW¼NW¼ Section 8, T25, R68E MDM at a point from which the northwest corner of said Section 8 bears N 44°20' W 1838.0 feet.
   If point of diversion is not changed, do not answer.

7. Proposed place of use 1.27 in the NW¼SW¼, 1.55 ac. in the SW¼SW¼ Section 5; 3.59 ac. in the SE¼SE¼ Section 6; 7.19 acres in the NE¼NE¼ Section 7 and 1.12 acres in the NW¼NW¼ Section 8, all in the T2S, R68E, MDM 14.72 acres Total
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use in the SE¼NE¼ and the NE¼SE¼ Section 7, T2S, R68E MDM 14.72 acres to be stripped
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Use permitted from March 1 (Month and Day) to October 30 (Month and Day) of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Diversion point is existing with well, pump & motor of appl. 70019
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of diversion works 10,000

13. Estimated time required to construct diversion works 3 yrs
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 4 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

With the approval of this application the water right is to be stripped from its present location and a portion (as above) to be established (as above) to it's new location. The remainder of this water right is also to be stripped and changed as given in the accompanying appl. (to be diverted from the same source (point of div.) as for Appl. 72963

775-726-3365
Phone No.

By Lenard D. Smith
Print or type name clearly

Signature, applicant or agent

P.O. Box 443
Street and No., or P.O. Box No.

Caliente, NV 89008
City, State, Zip Code No.

REL

STATE ENGINEER'S OFFICE
RECEIVED
2007 OCT -5 PM 1:02

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE MUST ACCOMPANY APPLICATION

(NSPO Rev. 5-04) (O) 1583A