Permit No. 76329

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:	**BRUCE ALAN CUNNINGHAM**
Source:	**UNDERGROUND**
Basin:	**CARSON DESERT**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**07/07/1994**

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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 48454 is issued subject to the terms and conditions imposed in said Permit 48454 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 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 this permit shall be drilled in what has been described in the United States Geological Survey Water Supply Paper 2263 as the intermediate alluvial aquifer. In no instance shall the seal on this well be less than 100 feet below ground level

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

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.3258 cubic feet per second or 56.04 acre feet for the irrigation of 14.01 acres within the described place of use.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**June 5, 2009**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**June 5, 2010**
Map in support of proof of beneficial use shall be filed on or before:	**June 5, 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 5th day of **June**, A.D. **2008**

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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Serial No. 76329

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 2 8 2007

Returned to applicant for correction

Corrected application filed Map filed SEP 2 8 2007

The applicant **Bruce Alan Cunningham**

1090 Capitol Hill (Street and No. or P.O. Box No.) of **Reno** (City or Town)

Nevada 89502 (State and Zip Code No.) hereby make s application for permission to change the

Place of Use

of water heretofore appropriated under **a portion of Permit No. 48454**
(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 **0.30898 cfs, 53.14 acre feet annually** (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for **Irrigation and domestic** (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 and domestic** (If for stock, state number and kind of animals.)
5. The water is to be diverted at the following point **within the NE 1/4 of the NE 1/4 of Section 18, T.19N., R.27E., M.D.M., or at a point from which the northeast corner of said Section 18 bears North 65°39'35" East a distance of 1170.29 feet.** (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 point of diversion has not changed.** (If point of diversion is not changed, do not answer.)

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7. Proposed place of use
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

13.285 acres within the NE 1/4 of the NE 1/4 of Section 18, T.19N., R.27E. M.D.M., the exact location to be determined upon Proof of Beneficial Use.

8. Existing place of use **13.285 acres within the NE 1/4 of the NE 1/4 of Section 18, T.19N., R.27E. M.D.M..**
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.

Portions of Churchill County Assessor's Parcel Numbers 07-111-23 and 24.

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

10. Use permitted from **January 1** (Month and Day) to **December 31** (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.) **Existing well, pump, meter and irrigation system.**
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 works **Completed**

13. Estimated time required to construct works **Completed**
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use **3 years**

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

This application is being filed to expand the place of use, allowing the applicant to re-use a field which has been previously stripped under Permit No. 66548.

Water consumption shall not exceed a yearly duty of 4.0 acre feet per acre of land irrigated.

By _____
Signature of Agent, George G. Lindesmith

Tri State Surveying 1925 E. Prater Way
Street and No., or P.O. Box No.

Sparks, Nevada 89434
City, State, Zip Code No.

STATE ENGINEERS OFFICE
2007 SEP 28 PM 2:52
RECEIVED

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev. 10-96)