

TEMPORARY
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Application No. **78226T**

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 APR 07 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAR 18 1992 under 57286

The applicant ConAgra, Inc.

PO Box 769 of Fernley
Street Address or P.O. Box City or Town

Nevada 89408, hereby make(s) application for permission to change the
State and Zip Code

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

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 29512 (Certificate 10560)

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources
2. The amount of water to be changed 1.56 c.f.s., 700 g.p.m., 473.31 AF seasonally.
Second feet, acre-feet. One second foot equals 448.83 gallons per minute
3. The water to be used for dehydration of onions; Industrial 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 Same
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
of diversion under Permit 64486 as shown on map 57286 filed March 18, 1992 under Permit 64486. Production Well 46-1, NW 1/4 of SE 1/4 Section 1, T22N, R26E, M.D.B.&M, or at a point from which the S 1/4 corner of said Section 1 bears S 00°07' W, a distance of 1,672.25 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
the SE 1/4 of the NW 1/4 of Section 12, T22N, R26E, M.D.B.&M, from which the W 1/4 corner of said Section 12 bears S67°59'23" W, a distance of 2,221.09 feet. See map under Permit 29506.

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
160 Acres - NE 1/4 of NW 1/4, SE 1/4 of NW 1/4, SW 1/4 of NW 1/4, NE 1/4 of SW 1/4, Section 12 T22N, R26E M.D.M. See Map 44643

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
Within the NE 1/4 Section 11, T22N, R26E, M.D.B.&M. See Map 29506

9. Proposed use will be from May 10 to December 10 of each year.
Month and Day Month and Day

10. Existing use permitted from June 1 to October 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)
Existing well and pump under Permit 64486

12. Estimated cost of works N/A

13. Estimated time required to construct works N/A
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use N/A

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)
Due to the pumping of the resource by Brady Power Partners, the water level has dropped below Applicant's wells. This Application is to change, on a temporary basis, Applicant's point of diversion to one of Brady Power Partners' wells so that fluid can be supplied to Applicant during the 2009 onion drying season. This Application is without prejudice to all of Applicant's contract and other rights.

16. Miscellaneous remarks:

(775) 323-1601
Phone No.

E-mail

By Robert W. Marshall, Agent
Print or type name clearly
Robert W. Marshall
Signature, applicant or agent

Company Name

PO Box 2790
Street Address or P.O. Box

Reno, NV 89505
City, State, Zip Code

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STATE ENGINEERS OFFICE

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION