



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: MARION J. DUDEK
Source: UNDERGROUND
Basin: MARYS RIVER AREA
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 06/27/1969

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 the waters of an underground source as heretofore granted under Permit 25138, Certificate 8422, is issued subject to the terms and conditions imposed in said Permit 25138, Certificate 8422 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 75049, 78334 and 78335 shall not exceed 2160.0 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.

(Continued on Page 2)

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 3.643 cubic feet per second or 1280.0 acre-feet annually, and not to exceed a yearly duty of 3.0 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:

December 8, 2011

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

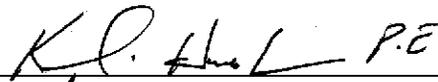
December 8, 2013

Map in support of proof of beneficial use shall be filed on or before:

December 8, 2013

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of **January**, A.D. **2010**



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

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 20 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed APR 20 2009 under 78334

The applicant Marion J. Dudek

P.O. Box 580 of Wells
Street Address or P.O. Box City or Town

Nevada 89835, 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 No. 25138, Certificate No. 8422

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 3.643 c.f.s. 1280.00 acre feet annually
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 (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 so stated.)

NE1/4 NW1/4 of Section 7, T.39 N., R.62 E., M.D.B. & M., at a point from which the West 1/4
Corner of Section 6, T.39 N., R.62 E., M.D.B. & M., bears N 45° 00' 00" W, 4034.00 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
Same as Proposed Point of Diversion

42 EL

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
The S1/2 SW1/4 of Section 5, S1/2 SW1/4 of Section 6, all of Section 7 and the W1/2 of Section 8,
in T.39 N., R.62 E., M.D.B. & M. (320.00 acres to be irrigated)

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.)
Portions of the S1/2 SW1/4 of Section 6, portions of the N1/2, N1/2 S1/2 of Section 7, all in
T.39 N., R.62 E., M.D.B. & M. (See attached for acreage to be removed from Irrigation)

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

10. Use permitted from January 1st to December 31st 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.)
a drilled & cased well equipped with a motor, pump, pipelines and sprinkler systems.

12. Estimated cost of works \$10,000.00

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

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

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing)

The waters applied for under this application, the waters applied for under Permit No. 75049 and the
waters applied for under the accompanying application to change the place of use under Permit No.
62774 are to be co-mingled to irrigate a total of 720.00 acres with a combined duty of 2,160 acre feet,
within the proposed place of use.

16. Miscellaneous remarks:

(775) 738-4053
Phone No.

remorley@frontiernet.net
E-mail

By Robert E. Morley
Print or type name clearly

Robert E. Morley
Signature, applicant or agent

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

RECEIVED
2009 APR 20 AM 11:26
STATE ENGINEERS OFFICE

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Item No. 8 - Existing Place of Use

Acreage to be removed from irrigation is as follows:

Section 6, T.39 N., R.62 E., M.D.B. & M.

11.50 acres in Lot 7 and 3.30 acres in the SE1/4 SW1/4.

Section 7, T.39 N., R.62 E., M.D.B. & M.

51.8 acres in Lot 1, 38.60 acres in the NE1/4 NW1/4, 10.60 acres in the NW1/4 NE1/4, 52.10 acres in Lot 2, 40.60 acres in the SE1/4 NW1/4, 40.40 acres in the SW1/4 NE1/4, 20.60 acres in the SE1/4 NE1/4, 19.20 acres in Lot 3, 14.50 acres in the NE1/4 SW1/4, 14.30 acres in the NW1/4 SE1/4 and 2.50 acres in the NE1/4 SE1/4.

Total acreage to be removed from Irrigation = 320.00 acres.