Permit No. 78657

AMENDED

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:	**MARTHA P. HOOTS**
Source:	**UNDERGROUND**
Basin:	**CLOVER VALLEY**
Manner of Use:	**IRRIGATION AND DOMESTIC**
Period of Use:	**JANUARY 1ST THROUGH DECEMBER 31ST**
Priority Date:	**10/28/1981**

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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 of the waters of an underground source as heretofore granted under Permit 66816 is issued subject to the terms and conditions imposed in said Permit 66816 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 66815, 66816 and 78657 shall not exceed 1,280 acre-feet annually.

The total combined duty of water under Permits 66815, 66816, 69069, 69070, and 78657 shall not exceed 3,200 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.

All surface waters must be used for irrigation prior to the use of any of the supplemental groundwater.

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 1.5 cubic feet per second or 640.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**November 13, 2011**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**November 13, 2014**
Map in support of proof of beneficial use shall be filed on or before:	**November 13, 2014**

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of **August, 2014**

P.E.

State Engineer

Permit No. 78657

See Amended

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:	**MARTHA P. SIMS**
Source:	**UNDERGROUND**
Basin:	**CLOVER VALLEY**
Manner of Use:	**IRRIGATION AND DOMESTIC**
Period of Use:	**January 1st to December 31st**
Priority Date:	**10/28/1981**

****

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 of a portion of the waters of an underground source as heretofore granted under Permit 66816 is issued subject to the terms and conditions imposed in said Permit 66816 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 66815, 66816 and 78657 shall not exceed 1,280 acre-feet annually.

The total combined duty of water under Permits 66815, 66816, 69069, 69070, and 78657 shall not exceed 3,200 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.

All surface waters must be used for irrigation prior to the use of any of the supplemental groundwater.

(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 1.5 cubic feet per second or ~~1085.95~~ 640.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **November 13, 2011**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **November 13, 2014**

Map in support of proof of beneficial use shall be filed on or before: **November 13, 2014**

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 **November**, A.D. **2009**

T Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Application No. 78657

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 JUN 19 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 14 2004 under 71448T

The applicant Martha P. Sims

P.O. Box 36 (Street Address or P.O. Box) of Deeth (City or Town)

Nevada 89823 (State and Zip Code), 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 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree)

Permit 66816

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

2. The amount of water to be changed 1.50 cfs (1085.95 acre feet annually) (See Item 15) (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 (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.)
SE1/4 SW1/4 of Section 2, T.34 N., R.62 E., M.D.B. & M., at a point from which the West 1/4 corner of Section 11, T.34 N., R.62 E., M.D.B. & M., bears S 37° 23' 18" W, 3512.27 feet.
(Please use the map that accompanied Permit 71448-T to illustrate the proposed point of diversion for this application)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
SW1/4 SW1/4 of Section 2, T.34 N., R.62 E., M.D.B. & M., at a point from which the West 1/4 corner of said Section 2 bears N 25° 48' 13" W, 2912.35 feet.
(Please use the map that accompanied Permit 71448-T to illustrate the existing point of diversion for this application)

177-EL

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
W1/2 of Section 2, and all of Section 11, all in T.34 N., R.62 E., M.D.B. & M.
(320 acres to be irrigated)
(Please use the map that accompanied Permit 71448-T to illustrate the proposed place of use for this application)

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.)
W1/2 of Section 2, and all of Section 11, all in T.34 N., R.62 E., M.D.B. & M.
(320 acres irrigated)(Same as proposed place of use)
(Please use the map that accompanied Permit 71448-T to illustrate the existing place of use for this application)

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 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.
Drilled well, pump, motor, pipelines and sprinkler system.

12. Estimated cost of works $10,000

13. Estimated time required to construct works Well drilled see well log no. 99222 (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)
Please see attached remarks for explanation of project.

Item 2 – We are requesting that the applicant be allowed to have the ability to pump the full duty at 1.5 cfs being 1085.95 acre feet annually from the well applied for under this application or the full duty at 1.5 cfs from the waters remaining under Permit 66816 with the total pumped from both wells not to exceed1280 acre feet annually. The total combined duty under Permits 66815, 66816, 69069 69070 and any permit issued under this application will not exceed 3200 acre feet annually.

16. Miscellaneous remarks:

(775) 738-4053
Phone No.

By Robert E. Morley
Print or type name clearly

Robert E. Morley
Signature, applicant or agent

remorley@frontiernet.net
E-mail

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

STATE ENGINEER'S OFFICE
2009 JUN 19 PM 1:30
RECEIVED

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Attachment to Application to Change
a portion of Permit 66816 by
Martha P. Sims

Item 15 – Description of Project

There are currently four wells that were drilled to irrigate the W1/2 of Section 2 and the W1/2 of Section 11, all in T.34 N., R.62 E., M.D.B.& M. The permits associated with these wells are Permits 66815, 66816, 69069, and 69070. These permits are limited to a total combined duty of 3,200 acre-feet annually for the irrigation of 800 acres.

The Proof of Beneficial Use (PBU) under Permits 66815, 66816, 69069, and 69070 was filed on July 19, 2007 showing the irrigation of 568.05 acres within the place of use. The cultural map submitted in support of the PBU was prepared from a survey performed on July 29, 2002. These PBU's were rejected for the reasons stated in the letter dated August 6, 2008 from Scott Clark with the Division of Water Resources.

In Mr. Scott's letter he states that per the field investigation conducted on April 17, 2008 that there was no evidence of any culture located in the NW1/4 of Section 2 and the SW1/4 of Section 11 and that meter readings submitted were to old to show beneficial use. In addition he states that one of the meters did not appear to be in proper working order. In response to Mr. Clark's letter Applications for Extension of Time for each permit was filed on August 19, 2008 and these extensions of time were granted to June 17, 2009.

According to the applicant, she has now repaired or replaced the totalizing meters on the four wells. In addition, she has indicated that the lack of irrigation in the NW1/4 of said Section 2 and the SW1/4 of said Section 11 is due to the fact that, since the survey for the PBU's was done showing culture in these areas, the production in the wells has declined to a point that she has been unable to irrigate these areas.

In an effort to try and irrigate these areas again, we filed and were granted Permit 71448-T to drill another well and determine its capacity in order to supplement the existing wells. This well was drilled as evidenced by well log no. 99222. The applicant indicates that during the process of drilling the new well something went wrong that restricted the flow from the well. Since that time, she has been trying to obtain the services of another driller to determine if it was economically feasible and practical from the well production standpoint to try and refurbish the well. Due to their busy schedule she had not been able to contract a driller until recently and therefore a permanent application to change as a follow up to the temporary was not filed and Permit 71448-T has expired.

She has now contacted a driller to refurbish the well and fully intends to place this well into production in order to supplement the existing wells so that she can irrigate the remaining acreage. We are filing this application in order to again have an active permit on the well, refurbish the well, and use the waters from this well in conjunction with the existing wells to irrigate the additional acreage and place the maximum amount of water possible to beneficial use under these permits.