Permit No. 81252T

TEMPORARY

THE STATE OF NEVADA

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

Name of Permittee:	**LEO K. AND DELORES E. STEWART**
Source:	**UNDERGROUND**
Basin:	**PAHRANAGAT VALLEY**
Manner of Use:	**COMMERCIAL**
Period of Use:	**ONE YEAR FROM DATE OF ISSUANCE**
Priority Date:	**03/30/1972**

****

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 temporary permit to change the place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 26638, Certificate 9368 is issued subject to the terms and conditions imposed in said Permit 26638, Certificate 9368 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(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 1.08 cubic feet per second or 225.2 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**N/A**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**N/A**
Map in support of proof of beneficial use shall be filed on or before:	**N/A**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 5th day of **January**, A.D. **2012**

J. K. P.E.

State Engineer

AMENDED
TEMPORARY Application No. 81252 T

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 OCT 17 2011

Returned to applicant for correction OCT 21 2011

Corrected application filed OCT 27 2011 Map filed MAY 7 1979 under 26638

The applicant Leo K. and Dolores E. Stewart

PO BOX 535 (Street Address or PO Box) of Alamo (City or Town)

Nevada 89001 (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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 26638, Certificate Record No. 9368, ~~Book 31, Page 9368~~ Rel-

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

2. The amount of water to be changed 1.44 CFS not to exceed ~~300~~ 225.2 Acre Feet
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Commercial
   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 stated.)
   NW1/4 NE1/4 Sec. 17, T.7S., R.61E., M.D.B.&M., or at a point from which the N1/4 corner of said Sec. 17 bears N. 63 degrees 20' W., a distance of 1160 feet. See map 26638

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

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

The water is to be used as a dust suppressant on two projects: Alamo Airport Improvement Project (See map attached identifying place of use in portions of S1 T7S R60E, S12 T7S R60E, and S7, T7S R61E and the Power Transmission Line Project (See Map 80766, Sheets 4 and 5, already on file in the Office of the State Engineer). Water will be transported from the well location (above) via 3, water trucks as needed by contractors. See Attachment A

REL
JSD

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.)

Approximately ~~57.15~~ 56.3 acres, (~~228.6~~ 225.2 acre feet) will not be irrigated, which consists of ~~39.17~~ 38.0 acres within NW1/4 NE1/4 S17 T7S, R61E and ~~17.98~~ 18.3 acres within ~~NE~~ SE 1/4 NE1/4 S17 T7S R61E . Included is a paper map showing area not being irrigated, which is highlighted in yellow.

REL
JSD

9. Proposed use will be from October 31, 2011 (Month and Day) to June 1, 2012 (Month and Day) of each year.

10. Existing 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.)

Water will be pumped into a storage tank designed to load water trucks as needed.

12. Estimated cost of works $5,000

13. Estimated time required to construct works One week to place storage tank. Well is already complete
(If well completed, describe well.)

14. Estimated time required to complete the application of water to beneficial use ~~I believe this has been completed?~~ REL

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.)

Two construction companies have approached applicant in need of water to complete projects. Applicant is seeking a 5 to 8 month temporary change of use for the well described above from Irrigation and Domestic to Commercial so that the water can be used on these projects. A water storage (stand) tank will be placed next to the well and trucks will fill at the well site as needed. The well will not be used for irrigation or domestic until after commercial use has been completed.

16. Miscellaneous remarks:

Construction companies are ready to begin work. Any help you can give in expediting the temporary change in use would be greatly appreciated.

stewartfirm@gmail.com
E-mail Address

702-249-6221
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Sean Stewart
Type or print name clearly

Signature, applicant or agent

Stewart Law Firm LTD
Company Name

PO BOx 518
Street Address or PO Box

Alamo, NV 89001
City, State, ZIP Code

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Revised 07/09 $150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Attachment A

PROPOSED PLACE OF USE

PORTIONS OF SECTIONS 1-6 and 8-13, T. 4 N., R. 63 E., M.D.B. & M.

PORTIONS OF SECTIONS 6, 7, 17-20, 28, 29, 30, 32, and 33, T. 4 N., R. 64 E., M.D.B. & M.

PORTIONS OF SECTIONS 4, 3, 9, 10, 11, 14, 15, 22-26, 35, and 36, T. 3 N., R. 64 E., M.D.B. & M.

PORTIONS OF SECTION 31, T. 3 N., R. 65 E., M.D.B. & M.

PORTIONS OF SECTION 1, T. 2 N., R. 64 E., M.D.B. & M.

PORTIONS OF SECTIONS 6-8, 17-20, and 29-32, T. 2 N., R. 65 E., M.D.B. & M.

PORTIONS OF SECTIONS 5-8, 17-20, and 29-33, T. 1 N., R. 65 E., M.D.B. & M.

PORTIONS OF SECTIONS 4, 5, 8, 9, 16, 17, 20, 21, 28, 29, 32, and 33, T. 1 S., R. 65 E., M.D.B. & M.

PORTIONS OF SECTIONS 4, 5, 8, 9, 16, 17, 20, 21, and 28-32, T. 2 S., R. 65 E., M.D.B. & M.

PORTIONS OF SECTIONS 12, 13, 23-26, 35, and 36, T. 3 S., R. 64 E., M.D.B. & M.

PORTIONS OF SECTIONS 5-7, 18, and 19, T. 3 S., R. 65 E., M.D.B. & M.

PORTIONS OF SECTIONS 2, 3, 10, 11, 14-16, 21, 22, 27, 28, 32, and 33, T. 4 S., R. 64 E., M.D.B. & M.

PORTIONS OF SECTION 36, T. 5 S., R. 63 E., M.D.B. & M.

PORTIONS OF SECTIONS 4, 5, 8, 9, 16, 17, 19, 20, 29, 30, ~~and 31,~~ 31 and 32 T. 5 S., R. 64 E., M.D.B. & M. SNC E-mail 4/12/11

PORTIONS OF SECTIONS 1, 12, 13, 14, 23-27, 34, and 35, T. 6 S., R. 63 E., M.D.B. & M.

PORTIONS OF SECTIONS 6 and 7, T. 6 S., R. 64 E., M.D.B. & M.

PORTIONS OF SECTIONS 2, 3, 9, 10, 15, 16, 20-22, 28, 29, 32, and 33, T. 7 S., R. 63 E.,

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M.D.B. & M.

PORTIONS OF SECTIONS 13, 23-27, 33, 34, and 35, T. 8 S., R. 62 E., M.D.B. & M.

PORTIONS OF SECTIONS 4-8, 17, 18, and 19, T. 8 S., R. 63 E., M.D.B. & M.

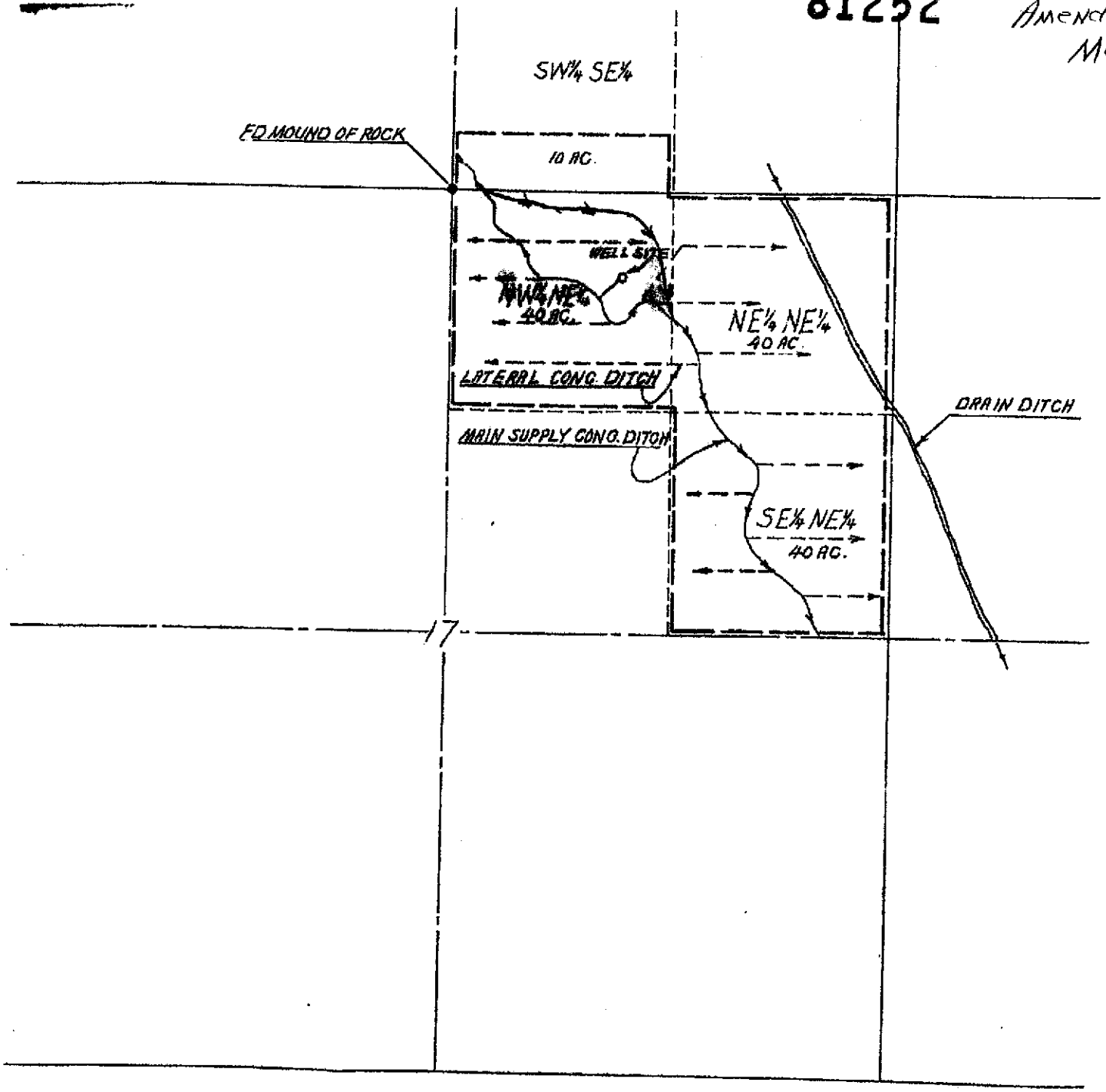
PORTIONS OF SECTIONS 2, 3, 4, 9, 10, 11, 14, 15, 22, 23, 26, 27, 34 and 35, T. 9 S., R. 62 E., M.D.B. & M.

PORTIONS OF SECTIONS 1, 2, 3, 10-15, 23-26, 35 and 36, T. 10 S., R. 62 E., M.D.B. & M.

PORTIONS OF SECTIONS 1, ~~10-13~~ 11-14, ~~22-25~~ 23-26 and 36, T. 11 S., R. 62 E., M.D.B. & M. SNC 4/12/14

PORTIONS OF SECTIONS 30 and 31, T. 11 S., R. 63 E., M.D.B. & M.

81252 Second Amended Map



T. 7 S, R 61 E, M.D.B. & M.

* stripping stand above water rights -
38 acres in NW¼ NE¼
18.3 acres in SE¼ NE¼ 56.3 total acres REL
as indicated in yellow highlight
225.2 acre feet

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Existing Place of Use

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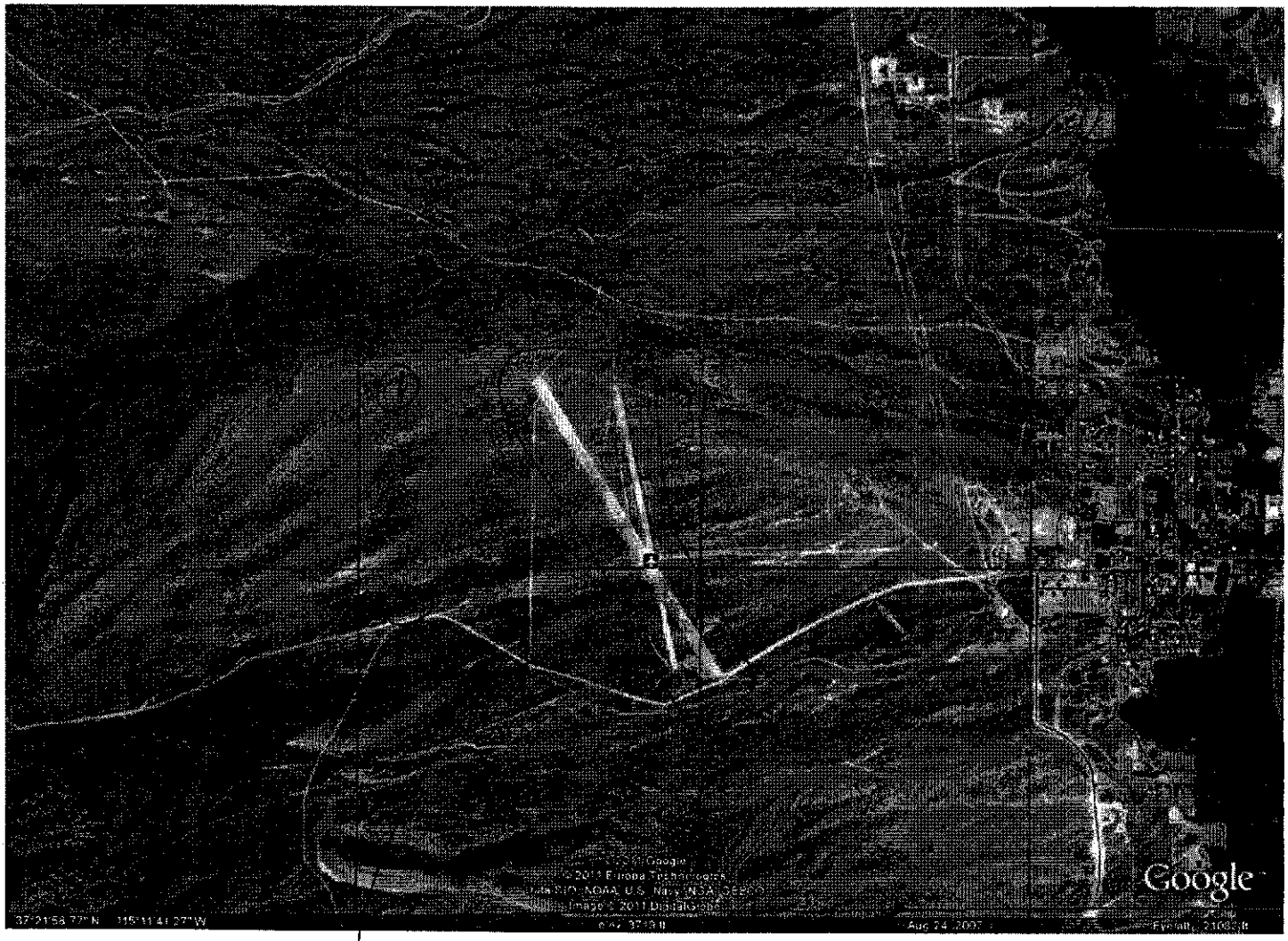

1 inch = ½ mile

N
W E
S

Area is dust abatement for paving of existing landing strip

Affected Sections are:

1. S1 T7S R60E
2. S12 T7S R60E
3. S7 T7S R61E

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Proposed Place of Use (Part)

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Claimant - W. F. THORNE Proof No. 01799

Source - ASH SPRING CREEK. Ditch - ALAMO CANAL

Year of Priority	Culture-Acres Harvest Crops	Culture-Acres Diversified Pasture	Location Subdivision	Sec.	Tp.S.	R.E.	Length of Season	Duty of Water C.F.S.	Duty of Water Acre-Ft.
1877	5.70		NW¼ NE¼	8	7	61	3-14-10- 1	0.057	22.80
1877	2.60		NE¼ NW¼	8	7	61	3-14-10- 1	0.026	10.40
1877	2.20		SW¼ SE¼	5	7	61	3-14-10- 1	0.022	8.80
1877	0.90		SE¼ SW¼	5	7	61	3-14-10- 1	0.009	3.60

Claimant - ALAMO IRRIGATION CO., INC. Proof No. 01802

Source - ASH SPRINGS CREEK. Ditch - ALAMO CANAL, EAST DITCH.

1881	30.00		NE¼ NE¼	17	7	61	3-14-10- 1	0.300	120.00
1881	15.00		SE¼ NE¼	17	7	61	3-14-10- 1	0.150	60.00
1881	27.10		NW¼ SW¼	16	7	61	3-14-10- 1	0.271	108.40
1881	9.50*		SE¼ SW¼	16	7	61	3-14-10- 1	0.095	38.00
1877	2.50		SE¼ NE¼	8	7	61	3-14-10- 1	0.025	10.00
1877	12.10		NE¼ SE¼	8	7	61	3-14-10- 1	0.121	48.40
1881	31.00		SE¼ SE¼	8	7	61	3-14-10- 1	0.310	124.00
1880	22.50		NW¼ NW¼	16	7	61	3-14-10- 1	0.225	90.00
1880	40.00		SW¼ NW¼	16	7	61	3-14-10- 1	0.400	160.00
1880	....	4.60	SE¼ NW¼	16	7	61	3-14- 6-22	0.046	9.20
1880	....	29.00	NE¼ SW¼	16	7	61	3-14- 6-22	0.290	58.00
1880	9.00*	....	NW¼ SE¼	16	7	61	3-14-10- 1	0.090	36.00
1880	30.70*		SW¼ SE¼	16	7	61	3-14-10- 1	0.307	122.80
1868	30.10		SW¼ SE¼	5	7	61	3-14-10- 1	0.301	120.40
-- 1868	--4.00		--NE¼ SW¼	8	7	61	--3-14-10- 1	0.040	--16.00
1868	....	6.80	NW¼ NE¼	8	7	61	3-14- 6-22	0.068	13.60
1868	27.50		NW¼ NE¼	8	7	61	3-14-10- 1	0.275	110.00
1868	40.00		SW¼ NE¼	8	7	61	3-14-10- 1	0.400	160.00
1868	40.00		NW¼ SE¼	8	7	61	3-14-10- 1	0.400	160.00
1877	11.90		NW¼ SE¼	5	7	61	3-14-10- 1	0.119	47.60
1877	1.50		SE¼ SW¼	5	7	61	3-14-10- 1	0.015	6.00
1877	10.00		SE¼ SW¼	5	7	61	3-14-10- 1	0.100	40.00
1877	3.20		NE¼ NW¼	8	7	61	3-14-10- 1	0.032	12.80
1877	....	26.00	SE¼ NW¼	8	7	61	3-14- 6-22	0.260	52.00
1881	30.00		SW¼ SE¼	8	7	61	3-14-10- 1	0.300	120.00
1881	2.00		SW¼ SW¼	9	7	61	3-14-10- 1	0.020	8.00
1881	3.50		NE¼ SW¼	8	7	61	3-14-10- 1	0.035	14.00
1881	2.00		NW¼ NE¼	17	7	61	3-14-10- 1	0.020	8.00

* Note:- These areas, long under cultivation but classified as "Meadow Pasture" in the Preliminary Order, have been ordered drained and when so drained assume their original status of cultivated land.

-- Lands of C. A. Koyen.

Claimant - A. W. GEER Proof No. 01825

Source - CRYSTAL SPRINGS. Ditch - A. W. GEER.

1866	26.70		SE¼ SE¼	14	5	60	3-14-10- 1	0.267	106.80
1866	9.40		SW¼ SE¼	14	5	60	3-14-10- 1	0.094	37.60
1866	....	30.60	SW¼ SE¼	14	5	60	3-14- 6-22	0.306	61.20
1867	39.10		NE¼ NE¼	23	5	60	3-14-10- 1	0.391	156.40

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ASSIGNED

Application No. 26638 Certificate Record No 9368 Book 31 Page 9368

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Warren L. Jaubert, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source through drilled well, pump and distribution system for Irrigation and Domestic purposes. The point of diversion of water from the source is as follows: NW1/4 NE1/4 Sec. 17, T.7S., R.61E., M.D.B.&M., or at a point from which the N1/4 corner of said Sec. 17 bears N. 63° 20' W., a distance of 1160 feet.

situated in Lincoln County, State of Nevada

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator Leo K. and Dolores E. Stewart

Post-office address Alamo, Nevada

Amount of appropriation 2.5 cfs not to exceed 520 ac-ft. per annum

Period of use, from January 1st to December 31st of each year

Date of priority of appropriation March 30, 1972

Description of land to which the water is appurtenant:

10 acres in the SW1/4 SE1/4 of Sec. 8, T.7S., R.61E., M.D.B.&M.
40 " " " NW1/4 NE1/4 " " 17, " " "
40 " " " NE1/4 NE1/4 " " " " " "
40 " " " SE1/4 NE1/4 " " " " " "
130 acres total

This certificate is issued subject to the terms of the permit and with the understanding that the total duty of water shall not exceed 4.0 acre-feet per acre per annum from any and/or all sources.

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The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 3rd day of JANUARY, A.D. 19 80

Compared BL/sj

Recorded Bk. Page County Records

William J. Newman
State Engineer

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