

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

Date of filing in State Engineer's Office MAY 08 2000

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 19 1997 under 58765

The applicant **WILLIAM R. TOMERLIN TRUST**, hereby make application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Permit 54401**

1. The source of water is **an underground source**
2. The amount of water to be changed **0.60375 CFS Not to Exceed 13.17 Acre Feet Annually**
3. The water to be used for **Quasi-municipal purposes (no change)**
4. The water heretofore permitted for **Quasi-municipal purposes**
5. The water is to be diverted at the following point **Within the NE¼ SW¼ of Section 10, T12N, R19E, MDM, or at a Point from which the S¼ Corner of said Section 10. bears S 29° 15' E, 2560 Feet.**
6. The existing permitted point of diversion is located within **The NW¼ SE¼ Section 10, T12N, R19E, MDM or at a Point from which the S¼ Corner of said Section 10 bears S 00° 31' 46" W, 1733.4 Feet.**
7. Proposed place of use **NW¼ SW¼, NE¼ SW¼ and Portions of the SW¼ SW¼, SE¼ SW¼, NW¼ SE¼, and the SW¼ NE¼ of Section 10, T12N, R19E, MDB&M, Douglas County, Nevada.**
8. Existing place of use **Portions of the SW¼ and the E½ of Section 10, T12N, R19E, MDM, Douglas County, Nevada**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Well, submersible pump and motor, totalizing meter, distribution system and a 253,000 gallon storage tank**
12. Estimated cost of works **Approximately \$600,000**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **10 years to build out of Phase I and Phase II of Sierra Country Estates**

15. Remarks: Please use map on file under Permit 54401 to show the existing point of diversion and place of use and the map filed under Permit 58765 to show the proposed point of diversion and place of use. This Application is being filed to move additional water rights into the existing well covered under Permit 58766.

By B. J. VASEY
s/B J Vasey
P. O. Box 1120
Minden, Nevada 89423

Compared my/cmf ds/cmf

Protested _____

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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 54401, is issued subject to the terms and conditions imposed in said Permit 54401, 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 58765, 58766, 64972, 64989, 64990, 66340 and 67374 shall not exceed 64.48 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0114 cubic feet per second, but not to exceed 0.249 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

March 9, 2003

Proof of the application of water to beneficial use shall be filed on or before:

April 9, 2003

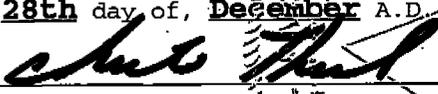
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 28th day of, December A.D. 2001


By: Deputy State Engineer Christine Thiel, P.E.

Completion of work filed under 58766 on May 2, 1996

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

