No. 73558

AMENDED
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 DEC 06 2005

Returned to applicant for correction

Corrected application filed

Map filed DEC 09 2005

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The applicant **PIV, LLC** hereby makes application for permission to change the **the point of diversion and place of use of a portion** of water heretofore appropriated under **Permit 19536 (Certificate 5994)**

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1. The source of water is **underground**

2. The amount of water to be changed **0.27 c.f.s. 103.8 a.f.a.**

3. The water to be used for **irrigation and domestic**

4. The water heretofore permitted for **irrigation and domestic**

5. The water is to be diverted at the following point **the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section 4, T. 20 S., R. 53 E., M.D.M., or at a point from which the West Quarter (W¼) corner of said Section 4 bears N 81°57'24" W at a distance of 756.92 feet.**

6. The existing permitted point of diversion is located within **the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section 12, T. 21 S., R. 53 E., M.D.M., or at a point from which the East (E¼) corner of said Section 12 bears N 29°14'00" E at a distance of 228.30 feet.**

7. Proposed place of use **within a portion of the Southwest Quarter (SW¼) of Section 4, T. 20 S., R. 53 E., M.D.B.&M**

8. Existing place of use **within a portion of the Northwest Quarter (NW¼) Southeast Quarter (SE¼) (7.48 acres), and the Northeast Quarter (NE¼) Southeast Quarter (SE¼) (13.28 acres) of Section 12,T. 21 S., R. 53 E., M.D.B.&M. APN 44-531-11, APN 44-531-12,APN 44-531-13, APN 44-531-14, APN 44-531-15**

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, water lines and appurtenances**

12. Estimated cost of works **$30,000**

13. Estimated time required to construct works **three (3) years**

14. Estimated time required to complete the application of water to beneficial use **five (5) years.**

15. Remarks:

By **Tom Driggs**
s/ Tom Driggs
400 S. Fourth St., 3rd Floor
Las Vegas, NV 89101

Compared sg/ag lt/gkl

Protested

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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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 19536, Certificate 5994, is issued subject to the terms and conditions imposed in said Permit 19536, Certificate 5994, 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total combined duty of water under Permits 73557, 73558, 73559 and 73560 shall not exceed 255.05 acre-feet annually.

Permit 73558 is granted for the irrigation of 20.76 acres within the described place of use.

(CONTINUED ON PAGE 3)

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(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.266** cubic feet per second, **and not to exceed 103.8 acre-feet annually, and not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.**

Work must be prosecuted with reasonable diligence and be completed on or before:
June 6, 2008

Proof of completion of work shall be filed on or before:
July 6, 2008

Water must be placed to beneficial use on or before:
June 6, 2009

Proof of the application of water to beneficial use shall be filed on or before:
July 6, 2009

Map in support of proof of beneficial use shall be filed on or before:
July 6, 2009

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **6th** day of **June**, A.D. **2006**

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____