

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 JUL 18 1969

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 22 1969

The applicant Robert A. Kimmerling
of Gardnerville, County of _____

State of Nevada, hereby makes application for permission to change the

Place of use and point of diversion

of water heretofore appropriated under proposed Carson River Decree

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

1. The source of water is East Fork Carson River via Rocky Slough and Edna Wilslef Ditch
(Name of stream, lake or other source.)

2. The amount of water to be changed 0.73 c.f.s.
(Second feet, acre feet.)

3. The water to be used for irrigation
(If for stock state number and kind of animals.)

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 NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15, T. 12 N., R20E.,
M.D.B.&M., or at a point from which the N $\frac{1}{4}$ corner of said Sec. 15 bears
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
N.79°11'W., 2222 feet. (Rocky Slough Ditch from gate in Carson River).

6. The existing point of diversion is located within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T.12N., R.20E.,
M.D.B.&M. The actual location of the point of diversion is in the
(If point of diversion is not changed, do not answer.)
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, T.12N., R.20E., or at a point from which the S $\frac{1}{4}$ corner

of said Sec. 10 bears S.43°12'W., 1518 feet.

7. Proposed place of use that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T.12N., R.20E.,
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

M.D.B.&M., not used by Application 24020 and the West 532 feet of the
South 842 feet of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 17, T.12N., R.20E., and the North
938 feet of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 20, T.12N., R.20E.

8. Existing place of use All of Tierra Linda Estates, a recorded subdivision,
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
excepting lots 9, 13, 14, 15, 16, 17, 27 and 28 thereof and being the

SE $\frac{1}{4}$ SW $\frac{1}{4}$ and a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, T.12N., R.20E.,

M.D.B.&M., totaling 53.3 acres.

9. Use will be from January 1 to December 31 of each year.
(Month) (Month)

10. Use has been from January 1 to December 31 of each year.
(Month) (Month)

11. Description of proposed works.

concrete diversion boxes and open ditches.

(Under the provisions 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, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works \$5,000. to complete

13. Estimated time required to construct works two years.

14. Remarks

Compared dc/ dc/

Applicant Robert A. Kimmerling

By s/ Ernest E. Muller, Sr., SWRS 273
750 W. Pueblo St. Ernest E. Muller, Sr.
Reno, Nevada 89502

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 changes the point of diversion and place of use of the waters of the Carson River as set forth in the Order of Determination under the proposed Carson River Decree No. D-183 in the District Court of the United States in and for the State of Nevada and is issued subject to the terms and conditions imposed in said proposed decree and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is further issued subject to any terms and conditions imposed in any Final Decree issued under the Carson River Adjudication Proceedings. The use of the water in the change herein granted is limited to 53.3 acres in the subdivisions stated in the proposed place of use.

This Amended Permit is issued to correct a typographical error under the proposed place of use from the North 615 feet to the North 977 feet of the SW 1/4 NW 1/4 Section 20, T. 21 N., R. 20 E., M.D.B.&M.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.73 cubic feet per second but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before April 1, 1970

Proof of commencement of work shall be filed before May 1, 1970

Work must be prosecuted with reasonable diligence and be completed on or before April 1, 1971

Proof of completion of work shall be filed before May 1, 1971

Application of water to beneficial use shall be made on or before April 1, 1973

Proof of the application of water to beneficial use shall be filed on or before May 1, 1973

Map in support of proof of beneficial use shall be filed on or before May 1, 1973

Commencement of work filed OCT 23, 1969
Completion of work filed OCT 23, 1969
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of October

A.D. 19 69 [Signature] State Engineer

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M.D.B.&M. or at a point from which the N 1/4 corner of said Sec. 15 bears N. 79° 11' W., 2222 feet. (Rocky Slough Ditch from gate in Carson River).

- 6. The existing point of diversion is located within the NW 1/4 SE 1/4 Sec. 10, T. 12 N., R. 20 E.,

M.D.B.&M. The actual location of the point of diversion is in the SW 1/4 SE 1/4 Sec. 10, T. 12 N., R. 20 E., or at a point from which the S 1/4 corner of said Sec. 10 bears S. 43° 12' W., 1518 feet.

- 7. Proposed place of use that portion of the NW 1/4 NW 1/4 Sec. 20, T. 12 N., R. 20 E., M.D.B.&M. not used by application No. 24020 and the West 532 feet of the south 842 feet of the SW 1/4 XXSW 1/4 of Sec. 17, T. 12 N., R. 20-E., and the North 838 feet of the SW 1/4 NW 1/4 Sec. 20, T. 12 N., R. 20 E.

R. 20 E.

- 8. Existing place of use All of Tierra Linda Estates, a recorded subdivision, excepting lots 9, 13, 14, 15, 16, 17, 27, and 28 thereof and being the SE 1/4 SW 1/4 and a portion of the SW 1/4 SE 1/4 of Section 17, T. 12 N., R. 20 E., M.D.B.&M., totaling 53.3 acres.

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Compared by jb/jw jb/rdw

Applicant Robert A. Kimmerling

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This second amended permit is issued to correct the amended permit issued October 15, 1969, describing the proposed place of use under paragraph 7 from North 615 feet originally shown (later changed to 938 feet) to the North 977 feet of the SW 1/4 NW 1/4 Section 20, T. 12 N., R. 20 E., M.D.B.&M.

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Completion of work filed Oct. 23, 1969

Proof of beneficial use filed MAR 20 1970

Cultural map filed March 18, 1970 under 24020

Certificate No. 7349 Issued 5-19-70

Recorded 7-6-70 Bk. 77 Page 217

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 3rd day of March

A.D. 19 70 [Signature] State Engineer