

**THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER**

Name of applicant: RICHARD & TWILA KNIEFEL
Source: BARKER CREEK
Basin: BIG SMOKY VALLEY-NORTHERN PART
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 02/25/1982

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 is issued subject to all existing rights on the source. It is understood that the 3.0 cubic feet per second, not to exceed 480.0 acre-feet or 3.0 acre-feet per acre, herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water, in excess of the existing permitted and vested rights, actually placed to a beneficial use. The suitable measuring device, described below, must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. 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.

Measuring Devices

A Parshall Flume measuring device, approved by the State Engineer, must be installed and maintained, on Barker Creek in the main channel at or above the existing point of diversion under Proof V-01285 and Permit 2756, Certificate 1406. Accurate daily measurements of the total flow rate (cubic feet per second) must be recorded and maintained during the period of March 1 through July 15 and twice monthly thereafter on or about the 14th and 28th. These measurements are in addition to those required for Proof of Beneficial Use. Copies of the Barker Creek water measurements shall be submitted annually to the Division of Water Resources by February 15 of the succeeding year.

Due to the fact that this permittee is the end user of the water, the only time a headgate would be necessary is if there was another user downstream of this place of use and point of diversion.

Irrigation Water

The place of use of Permit 45395 shall be 160.0 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 2 and the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 11. This diversion shall not exceed 3.0 cubic feet per second and 3.0 acre-feet per acre or 480.0 acre-feet annually. Water measurements submitted for the Proof of Beneficial Use under Permit 45395 must be shown to be in excess of the water needed to satisfy Proof V-01285 and Permit 2756, Certificate 1406.

Diversion from Barker Creek, under Permit 45395, is secondary to the prior upstream appropriation, under Permit 44370, throughout the period of Jan 1 to Dec 31 of each year.

At such time that a pipeline may be installed to facilitate the more effective delivery of water across the alluvial fan for Proof V-01285 and Permit 2756, Certificate 1406, the term limiting the diversion for Permit 44370 during the period March 1 through July 15 may be adjusted, by the State Engineer at the applicant's request, to compensate for the decreased water loss by Barker Creek in traveling over the alluvial fan to the downstream appropriations.

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 3.0 cubic feet per second or 480.0 acre-feet annually or 3.0 acre-feet per acre.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

December 27, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

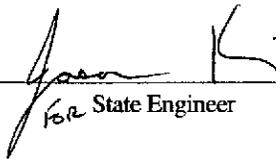
December 27, 2012

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

December 27, 2012

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of December, A.D. 2007



FOR State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office FEB 25 1982
Returned to applicant for correction MAY 10 1982
Corrected application filed
Map filed December 29, 1972 under 27070

The applicant Elizabeth Howd Dawson
Rt. 2 Box 15-A of Round Mountain
Nevada - 89045, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

- 1. The source of the proposed appropriation is Barker Creek
2. The amount of water applied for is 3.0 second-feet
3. The water to be used for Irrigation & Domestic
4. If use is for:
(a) Irrigation, state number of acres to be irrigated: 160
(b) Stockwater, state number and kinds of animals to be watered:
(c) Other use (describe fully under "No. 12. Remarks"
(d) Power:
(1) Horsepower developed
(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: NE 1/4 SE 1/4 Section 12, T.11N R 43 E, MDB&M, at a point from which the West Quarter corner of said Section 12 bears N 77°-43' W a distance of 4938.88 feet.

6. Place of use NE 1/4 SE 1/4 Sec. 2, SE 1/4 SE 1/4 Sec.2. NE 1/4 NE 1/4 Section 11, & SE 1/4 NE 1/4 Sec. 11, T.11N. R 43 E. MDB&M.

- 7. Use will begin about Jan 1 and end about Dec.31 of each year.
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) A headgate already installed diverts water from Barker Creek at the point of diversion, whence it flows in a secondary channel to canals & ditches which will be installed at place of use.
9. Estimated cost of works

10. Estimated time required to construct works..... 6 months
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 6 months

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By..... s/Roger Berg
Rt. 2 Box 15-A
Round Mtn. Nev. 89045

Compared..... js/bl

Protested 12/21/82 by Charles H. Coleman

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:

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

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

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

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

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

Completion of work filed..... IN TESTIMONY WHEREOF, I.....

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed..... my office, this..... day of.....

Certificate No..... Issued..... A.D. 19.....

