

AMENDED

Serial No. 52670

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

OCT 28 1988

Date of filing in State Engineer's Office.....

NOV 22 1988

Returned to applicant for correction.....

JAN 3 1989

JAN 3 1989

Corrected application filed..... Map filed.....

The applicant Heinrich Brieholz & Walter Christie

8810 Schurz Hwy. of Fallon

Nevada 89406 hereby make application for permission to change the

a place of use of a portion

of water heretofore appropriated under Truckee-Carson Irrigation District No. 8,541,553 United

States of America v. Orr Water Ditch Co. in Equity No. A.13 Claim No. 3; United

States of America v. Alpine Land & Reservoir Co. D.C. No D- 183 BRT

1. The source of water is Truckee River & Carson River

2. The amount of water to be changed 63.00 acre-feet

3. The water to be used for as decreed

4. The water heretofore permitted for as decreed

5. The water is to be diverted at the following point Lahontan Dam being within the SW 1/4-SE 1/4, Section 33, Township 19 North, Range 26 East, M.D.B.&M.

6. The existing permitted point of diversion is located within no change

7. Proposed place of use All in Sec.1,T.17N.,R.28E.,M.D.B.&M; 11.41 Ac. in the SW 1/4-SE 1/4; 2.40 Ac. in the SE 1/4-SE 1/4. All in Sec. 12,T.17N.,R.28E., M.D.B.&M; 2.70 Ac. in the SE 1/4-NE 1/4; 1.49 Ac. in the NE 1/4-NE 1/4.

8. Existing place of use All in Sec.1,T.17N.,R.28E.,M.D.B.&M; .93 Ac. in the SE 1/4-SE 1/4. All in Sec.12,T.17N.,R.28E., M.D.B.&M; .83 Ac. in the NE 1/4-NE 1/4. All in Sec.27,T.19N., M.D.B.&M; .06 Ac. in the NW 1/4-SE 1/4; 15.20 Ac. in the NE 1/4-SE 1/4. All in Sec.36,T.19N.,R.28E., M.D.B.&M; .98 Ac. in the NE 1/4-NW 1/4.

9. Use will be from as decreed to of each year.

10. Use was permitted from as decreed to of each year.

11. 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.) dam, canal & ditches

12. Estimated cost of works complete

13. Estimated time required to construct works complete

14. Estimated time required to complete the application of water to beneficial use... 3 years

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

Water will be delivered to the proposed place of use via the "T" Line Canal.

s/ Barry A. Fitzpatrick
By Barry A. Fitzpatrick S.W.R.S. #817
141 Industrial Way, Fallon, Nevada 89406

Compared pm/se am/se

Protested 12-7-88 by The Pyramid Lake Paiute Tribe of Indians
Pro. Overruled 1/30/92;
See Ruling #3868

APPROVAL OF STATE ENGINEER

This is to certify I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is also issued subject to the State Engineer's Ruling No. 3868, dated January 30, 1992.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada in pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 63.00 acre-feet as decreed. cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before February 20, 1994

Proof of completion of work shall be filed before March 20, 1994

Application of water to beneficial use shall be made on or before February 20, 1996

Proof of the application of water to beneficial use shall be filed on or before March 20, 1996

Map in support of proof of beneficial use shall be filed on or before March 20, 1996

Completion of work filed JUL 27 1994

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 20th day of February

A.D. 19 92

[Signature of R. Michael Turnipseed, P.E.]
State Engineer

WITHDRAWN BY APPLICANT NOV 07 1996

[Signature of Robert J. Turnipseed, P.E.]

STATE ENGINEER