

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

MAY 09 1990

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

Returned to applicant for correction.....

Corrected application filed..... Map filed MAY 16 1990 under 54729

The applicant AQUEDUCT I LTD.

P.O. Box 2790 of Reno Nevada 89505

Street and No. or P.O. Box No. City or Town State and Zip Code No.

Point of Diversion, Place of Use and Manner of Use

of water heretofore appropriated under Claims # 532, 533 of the Final Decree, Titled

The United States of America Plaintiff vs. Alpine Land & Reservoir Company,

a corporation Etal. Defendants Civil No. D-183BRT

1. The source of water is West fork of the Carson River

2. The amount of water to be changed As decreed (324.9 ACRE FEET)

3. The water to be used for storage

4. The water heretofore permitted for As decreed

5. The water is to be diverted at the following point Please refer to EXHIBIT "A"

6. The existing permitted point of diversion is located within Panning as shown on the Carson River Decree & Maps, located within the SW 1/4 NW 1/4, Section 17, T 11N., R 20E., M.D.B.&M.

7. Proposed place of use Mud lake located within portions of W 1/2 Section 3; E 1/2 Section 4; NE 1/4 Section 9; NW 1/4 NW 1/4 Section 10 T 11N., R 20E. Please refer to the Carson River Decree maps

8. Existing place of use See EXHIBIT "B" and please refer to the Carson River Decree

9. Use will be from January 1 to December 31 of each year. As Decreed

10. Use was permitted from 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) Headgate located in the Carson River known as Mud Lake gauging station and reservoir facility; as provided under claim 463.

12. Estimated cost of works Completed under Carson River Decree

13. Estimated time required to construct works Completed under Carson River Decree

14. Estimated time required to complete the application of water to beneficial use..... 5 year

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

Applicant intends to place the full duty of the decreed water into storage at Mud Lake in the amount of 4632.3 Acre feet. Both the Millich and Snowshoe Thompson ditches will be used to divert the necessary flows throughout the year to satisfy the decreed duty.

By /s/Jack D. Ferris
THIEL, WINCHELL & ASSOCIATES
34 Lakes Blvd, Suite 101
Dayton, Nevada 89403

Compared..... jr/bk jr/bk

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, manner and place of use of Claim Nos. 532 and 533 of the Carson River as heretofore granted under the Final Carson River Decree No. D-183, in the District Court of the United States in and for the District of Nevada, is issued subject to the terms, conditions and irrigation period imposed in said Final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The total combined duty of water under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737, 54738 and the Permittee's portions of Claim No's. 463, 814 and 814A shall not exceed 1894.75 acre feet annually.

On April 1st of each year, the permittee shall report to the State Engineer and the Federal Water Master, the quantity of water stored in the Mud Lake Reservoir, under his portions of Claim No's. 463, 814 and 814A, during the just concluded non-irrigation season. This quantity of water, up to a maximum of 1057.33 acre feet, shall be subtracted from 1894.75 acre feet, the total quantity of water approved under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737 and 54738. The remainder is the quantity of water allowed to be diverted under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737 and 54738 this season, measured near the point of diversion from the West Fork of the Carson River. 40% of this quantity may be diverted in April, 40% in May, and the remaining 20% will be diverted as regulated, in June.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 180.5 acre-feet per season ~~and to be per second~~ as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before September 12, 1996

Proof of completion of work shall be filed before October 12, 1996

Application of water to beneficial use shall be made on or before N/A

Proof of the application of water to beneficial use shall be filed on or before N/A

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed..... OCT 22 1996

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

Proof of beneficial use filed.....

office, this 12th day of September

Cultural map filed.....

A.D. 19 95

Certificate No. Issued.....

[Signature]
State Engineer

Abrogated By *Port. 66640 9.7 AC*
Port. 66643 0.9 AC
Port. 66645 5.5 AC } *wdn 5/3/04*

EXHIBIT A

Millich ditch - NW1/4 SE1/4, Section 34, T.11 N., R.19 E., M.D.B.&M. or at a point from which the SE corner of Section 35 T.11 N., R.19 E., M.D.B.&M. bears S. 76° 45' 39" E. A distance of 7039 feet.

or from Alternate diversion:

Snowshoe Thompson #2 - NE1/4 NW1/4, Section 35, T.11 N., R.19 E., M.D.B.&M. or at a point from which the SE corner of said Section 35, bears S. 42° 47' 16" E. A distance of 5586.77 feet.

EXHIBIT "B"

<u>CLAIM #</u>	<u>DITCH</u>	<u>ACRES</u>	<u>QTR/QTR</u>	<u>SECTION</u>	<u>TWP.</u>	<u>R.</u>
	PANNING FROM	15.4	NWNW	17	11N	20E
	WEST BANK	34.8	SWSW	8	11N	20E
		0.2	SESW	8	11N	20E
		17.0	NWSW	8	11N	20E
		4.8	SWNW	8	11N	20E
TOTALS						
532		40.1				
533		32.1				

TOTAL TO BE REMOVED FROM IRRIGATION: 72.2 ACRES

