

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

Date of filing in State Engineer's Office JUN 02 1997  
 Returned to applicant for correction JUN 17 1997  
 Corrected application filed \_\_\_\_\_  
 Map filed JUL 01 1997

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The applicant Condie Living Trust (50%) and John T, & Mara L. Condie (50%), hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is Miller Creek
2. The amount of water applied for is 0.50 c.f.s. second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for irrigation and domestic
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated 45 acres
  - (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 within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  section 25, T.6N., R.69E., M.D.M. or at a point from which the southwest corner of said section 25 bears S. 31°32'41" W. 1077.58 feet.
6. Place of Use SW $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , and the NE $\frac{1}{4}$  SW $\frac{1}{4}$  section 25, T.6N., R.69E., M.D.M.
7. Use will begin about January 1 and end about December 31, of each year.
8. Description of proposed works diversion dam and irrigation ditches
9. Estimated cost of works \$5,000
10. Estimated time required to construct works 3 years
11. Estimated time required to complete the application of water to beneficial use 3 years
12. Remarks: Miller Creek is an intermittent stream which is variable from season to season and from year to year. The water from this diversion is to be co-mingled with the water of the application being submitted concurrent with this application and utilizing the same map, which is also included with this application.

By s/ Lenard D. Smith  
 Lenard D. Smith, agent  
 Box 443  
 Caliente, Nevada 89008

Compared cl/nsr dl/cms

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 is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. 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 total combined duty of water under Permits 63156 and 63157 shall not exceed 135.0 acre-feet per year for the irrigation of 45.0 acres

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367..

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined rate of diversion for Permits 63156 and 63157 shall not exceed either 1.0 cubic feet per second nor reduce the required flow needed to satisfy the existing rights on Miller Creek, aka Millard Creek.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 135.0 acre-feet annually, and not to exceed a yearly duty of 3.0 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:

September 18, 2000

Proof of completion of work shall be filed before:

October 18, 2000

Application of water to beneficial use shall be filed on or before:

September 18, 2003

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

October 18, 2003

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

October 18, 2003

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 18th day of September, A.D. 1998

[Handwritten signature of R. Michael Turnipseed]
State Engineer

Completion of work filed NOV 02 2000

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued