TEMPORARY

NO. 63299 T

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 AUG 05 1997

Returned to applicant for correction

Corrected application filed

Map filed AUG 05 1997

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The applicant **Company Ditch c/o Chris Hellwinkel**, hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **the Alpine Decree - claim numbers 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 161a, 162, 163, 164, 165, 166, 167, 168, 169, 170, 170a, 171, 172, 173, 174, 175**

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1. The source of water is **East Fork of the Carson River**

2. The amount of water to be changed **the full duty per the Alpine Decree on 620 ac ±**

3. The water to be used for **Irrigation as decreed**

4. The water heretofore permitted for **Irrigation as decreed**

5. The water is to be diverted at the following point **NE¼ of the NE¼, S 15, T.12N., R.20E., M.D.B.&M.; Point of diversion bears South 38° West a distance of 500 feet from the northeast corner of Section 15, T.12N., R.20E., M.D.B.&M.**

6. The existing permitted point of diversion is located within **the NW¼ of the SE¼ of Section 10, T.12N., R.20E., MDB&M.**

7. Proposed place of use **same as existing place of use.**

8. Existing place of use **620.19 acres within Sections 3, 4, T12N, R20E 33 and 34; T.13N., R.20E., M.D.B.&M. as described in the Alpine Decree. claims 150-175**

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 **One control structure within the Upper Field Ditch and a new 30' ditch with pipe and control structure to the Company Ditch.**

12. Estimated cost of works **$5000.00**

13. Estimated time required to construct works **Works have been completed.**

14. Estimated time required to complete the application of water to beneficial use **N/A**

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15. Remarks: **The old diversion washed out in the January 1997 flood and impractical to replace. The owners of the adjacent Virginia Ditch and Upper Field Ditch have agreed to share their ditches and diversions with the Company Ditch. The Federal Water Masters Office has no objection to this change.**

s/ Anita Stodick,
Company Ditch user
s/ Rhoda Chichester
s/ Herman G. Herbig
s/ Herman H. Herbig
s/ Bob Hemsath - Double D. Investments

By **Anita Stodick, Rhoda Chichester, Herman G. Herbig, Herman H. Herbig, Bob Hemsath**
c/o Chris Hellwinkel, 1080 Centerville Ln.
Gardnerville, NV 89410

Compared **cl/jr cl/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 temporary permit to change the point of diversion of Claim Nos. 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 161a, 162, 163, 164, 165, 166, 167, 168, 169, 170, 170a, 171, 172, 173, 174, and 175 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.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on October 20, 1998, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **the decreed duty of acre-feet per acre of land irrigated from any and all sources for 620.19 acres.**

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 filed 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:

TEMPORARY

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 **21st** day of **October**, A.D. **1997**

R. Michael Turnipseed P.E.
State Engineer

OCT 20 1998