

**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 OCT 28 1980

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The applicant Company Ditch, 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 620.19 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 NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , S15, T.12N. R.20E., MDB+M. The point of diversion bears South 38<sup>0</sup> West a distance of 500 feet from the northeast corner of Section 15, T.12N., R.20E., M.D.B.+M, Upper New Virginia Ditch
6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 10, T.12N., R.20E., M.D.B.+M.
7. Proposed place of use is the same as the existing place of use.
8. Existing place of use is 620.19 acres ± within Sections 3, 4, T.12N., R.20E., and 33 and 34; T.13N., R.20E., M.D.B.+M. as described in the Alpine Decree.
9. Use will be from as decreed
10. Use was permitted from as decreed
11. Description of proposed works One control structure within the Upper Field Ditch and a new 30' ditch with a culvert 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
15. Remarks: The old diversion washed out in the January 1997 flood and is impractical to replace. The owners of the adjacent Virginia Ditch and Upper Field Ditch have agreed to share their ditches and

63300

diversion with the Company Ditch. The Federal Water Masters Office has no objection to this change.

By s/Anita Stodick, Company Ditch user  
Herman G. Herbig  
Herman H. Herbig  
Rhoda Chichester  
Bob Hemsath, Double D Investments  
Anita Stodick, Herman G. Herbig,  
Herman H. Herbig, Rhoda Chichester,  
Bob Hemsath  
c/o Chris Hellwinkel, 1080 Centerville Ln.  
Gardnerville, NV 89410

Compared my/BK 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 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, 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 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.

(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 the decreed duty of acre feet per acre as decreed.

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

November 12, 1999

Proof of completion of work shall be filed before:

December 12, 1999

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

November 12, 2000

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

December 12, 2000

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

December 12, 2000

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 12th day of November, A.D. 1998

*R. Michael Turnipseed P.E.*  
State Engineer

Completion of work filed JAN 10 2000

Proof of beneficial use filed FEB 28 2001

Cultural map filed \_\_\_\_\_

Certificate No. 15856 Issued SEP 27 2001

WITHDRAWN BY APPLICANT \* FEB 28 2001

*Justicci P.E.* STATE ENGINEER *cmf*  
\* A portion being 414.28 acres as designated on the withdrawal letter.