AMENDED

NO. 63725

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 JAN 13 1998

Returned to applicant for correction MAR 10 1998

Corrected application filed MAR 18 1998

Map filed FEB 13 1998 under 63718

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The applicant **Red Creek Ranch, Inc., a Colorado Corporation**, hereby make application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Permit 37034, Certificate 10573**

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1. The source of water is **Underground**

2. The amount of water to be changed **1.1665 c.f.s., not to exceed 640.133 acre-feet annually.**

3. The water to be used for **Irrigation and Domestic**

4. The water heretofore permitted for **Irrigation and Domestic**

5. The water is to be diverted at the following point **NE¼ NW¼ Section 34, T.12N., R.23E., M.D.B.&M., or at a point from which the N¼ Corner of said Secion 34 bears N. 59°10'44" E. a distance of 1502.82 feet.**

6. The existing permitted point of diversion is located within **SE¼ SE¼ of Section 24, T.13N., R.23E., M.D.B.&M., or at a point from which the SW¼ Corner of said Secion 24 bears S.89°05'00" W. a distance of 3673.00 feet.**

7. Proposed place of use **See Exhibit "A" Attached.**

8. Existing place of use **See Exhibit "B" Attached.**

9. Use will be from **January 1st** to **December 31st** of each year.

10. Use was permitted from **January 1st** to **December 31st** of each year.

11. Description of proposed works **A well, drilled and cased, equipped with a Pump, Motor and Distribution System.**

12. Estimated cost of works **$50,000.00.**

13. Estimated time required to construct works **Two (2) Years.**

14. Estimated time required to complete the application of water to beneficial use **Five (5) Years.**

15. Remarks: **See Exhibit "C" Attached.**

By **Gregory M. Bilyeu-Agent**
s/Gregory M. Bilyeu
P.O. Box 70458
Reno, Nevada 89570-0458

Compared jr/lw

Protested See File

WITHDRAWN BY ~~APPLICANT~~ agent JAN 06 1999

STATE ENGINEER

63725

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_____ 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:

Exhibit "A" **Applications 63718 - 63726**

Proposed Place of Use:

40.00 Acres in the SW ¼ NE ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the SE ¼ NE ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the SW ¼ NW ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the SE ¼ NW ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the NE ¼ SW ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the NW ¼ SW ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
38.71 Acres in the SW ¼ SW ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
19.00 Acres in the SE ¼ SW ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the NE ¼ SE ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the NW ¼ SE ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the SW ¼ SE ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the SE ¼ SE ¼, Section 27, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the NE ¼ NW ¼, Section 34, T. 12 N., R. 23 E., M.D.B. & M.
36.50 Acres in the NW ¼ NW ¼, Section 34, T. 12 N., R. 23 E., M.D.B. & M.
36.50 Acres in the SW ¼ NW ¼, Section 34, T. 12 N., R. 23 E., M.D.B. & M.
40.00 Acres in the SE ¼ NW ¼, Section 34, T. 12 N., R. 23 E., M.D.B. & M.
35.04 Acres in the NW ¼ SW ¼, Section 34, T. 12 N., R. 23 E., M.D.B. & M.
645.75 Acres Total

Exhibit "B"

Applications 63724
63725
63726

Existing Place of Use:

31.4 Acres in the NE ¼ SW ¼, Section 19, T. 13 N., R. 24 E., M.D. B. & M.
31.4 Acres in the NW ¼ SW ¼, Section 19, T. 13 N., R. 24 E., M.D. B. & M.
31.4 Acres in the SW ¼ SW ¼, Section 19, T. 13 N., R. 24 E., M.D. B. & M.
31.4 Acres in the SE ¼ SW ¼, Section 19, T. 13 N., R. 24 E., M.D. B. & M.
28.2 Acres in the NE ¼ SE ¼, Section 24, T. 13 N., R. 23 E., M.D. B. & M.
28.2 Acres in the NW ¼ SE ¼, Section 24, T. 13 N., R. 23 E., M.D. B. & M.
28.2 Acres in the SW ¼ SE ¼, Section 24, T. 13 N., R. 23 E., M.D. B. & M.
28.2 Acres in the SE ¼ SE ¼, Section 24, T. 13 N., R. 23 E., M.D. B. & M.
27.9 Acres in the NE ¼ NE ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
34.2 Acres in the NW ¼ NE ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
34.2 Acres in the SW ¼ NE ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
31.3 Acres in the SE ¼ NE ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
5.0 Acres in the NE ¼ NW ¼, Section 25, T. 13 N., R. 23 E., M.D.B. & M.
27.3 Acres in the NW ¼ NW ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
23.6 Acres in the SW ¼ NW ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
5.6 Acres in the SE ¼ NW ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
36.3 Acres in the NE ¼ NE ¼, Section 26, T. 13 N., R. 23 E., M.D. B. & M.
5.4 Acres in the NW ¼ NE ¼, Section 26, T. 13 N., R. 23 E., M.D. B. & M.
4.9 Acres in the SW ¼ NE ¼, Section 26, T. 13 N., R. 23 E., M.D. B. & M.
33.5 Acres in the SE ¼ NE ¼, Section 26, T. 13 N., R. 23 E., M.D. B. & M.
507.6 Acres Total

Existing Place of Use being stripped by this change application:

31.4 Acres in the NE ¼ SW ¼, Section 19, T. 13 N., R. 24 E., M.D. B. & M.
31.4 Acres in the NW ¼ SW ¼, Section 19, T. 13 N., R. 24 E., M.D. B. & M.
31.4 Acres in the SW ¼ SW ¼, Section 19, T. 13 N., R. 24 E., M.D. B. & M.
31.4 Acres in the SE ¼ SW ¼, Section 19, T. 13 N., R. 24 E., M.D. B. & M.
28.2 Acres in the NE ¼ SE ¼, Section 24, T. 13 N., R. 23 E., M.D. B. & M.
28.2 Acres in the NW ¼ SE ¼, Section 24, T. 13 N., R. 23 E., M.D. B. & M.
28.2 Acres in the SW ¼ SE ¼, Section 24, T. 13 N., R. 23 E., M.D. B. & M.
28.2 Acres in the SE ¼ SE ¼, Section 24, T. 13 N., R. 23 E., M.D. B. & M.
27.9 Acres in the NE ¼ NE ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
34.2 Acres in the NW ¼ NE ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
34.2 Acres in the SW ¼ NE ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
31.3 Acres in the SE ¼ NE ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
5.0 Acres in the NE ¼ NW ¼, Section 25, T. 13 N., R. 23 E., M.D.B. & M.
23.4 Acres in the SW ¼ NW ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
5.6 Acres in the SE ¼ NW ¼, Section 25, T. 13 N., R. 23 E., M.D. B. & M.
36.3 Acres in the NE ¼ NE ¼, Section 26, T. 13 N., R. 23 E., M.D. B. & M.
5.4 Acres in the NW ¼ NE ¼, Section 26, T. 13 N., R. 23 E., M.D. B. & M.
4.9 Acres in the SW ¼ NE ¼, Section 26, T. 13 N., R. 23 E., M.D. B. & M.
33.5 Acres in the SE ¼ NE ¼, Section 26, T. 13 N., R. 23 E., M.D. B. & M.
480.1 Acres Total

**Applications 63724
63725
63726**

Exhibit "C"

This application is being filed along with eight other applications to change the point of diversion and place of use of all or portions of Permits 37028, 37030 & 37034 (underground water rights) in Smith Valley, Nevada by Red Creek Ranch, Inc.

Said rights were previously owned by Trinox Company but were conveyed to Pruett Ranches, Inc. Ownership of these water rights is currently being conveyed to the present applicant. Documentation updating the chain of title to Red Creek Ranch, Inc has been submitted to the State Engineer's office under a separate cover.

The water rights being transferred by these nine applications are not intended to be supplemental to any water rights which may be appurtenant to the proposed place of use.

The total combined duty of Applications 63724 through 63726, being filed to change portions of Permit 37034, shall not exceed 1,920.4 acre-feet annually.

The total combined duty of Applications 63721 through 63726, being filed to change portions of Permits 37030 and 37034, shall not exceed 1,920.4 acre-feet annually.

The total combined duty of Applications 63718 through 63726, being filed to change portions of Permits 37028, 37030 and 37034, shall not exceed 2,583.0 acre-feet annually.