TEMPORARY

NO. 65285-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 JUL 07 1999

Returned to applicant for correction

Corrected application filed

Map filed JUL 29 1999

****

The applicant **Dangberg Holdings Nevada, LLC, A Nevada Limited Liability Co.**, hereby makes application for permission to change the **Point of Diversion** of water heretofore appropriated under **Claim No. 229 (1.0 acre) of the Carson River Decree (Civil No. D-183 BRT)**

****

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

2. The amount of water to be changed **1.0 acre**

3. The water to be used for **irrigation and stockwater purposes as decreed**

4. The water heretofore permitted for **irrigation and stockwater purposes as decreed**

5. The water is to be diverted at the following point **within the NE¼ NW¼ of Section 5, T.12N, R.20E, M.D.M., or at a point from which the West one-quarter corner bears S 37°54' W, a distance of 2,700 feet.**

6. The existing permitted point of diversion is located within **(see attached description)**

7. Proposed place of use **Unchanged**

8. Existing place of use **1.0 Ac in the SE SW, Sec 23 T13N, R19E MDM**

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

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

11. Description of proposed works **Earthen in-stream diversion and earthen conveyance ditch to historic conveyance systems.**

12. Estimated cost of works **$25,000 complete**

13. Estimated time required to construct works **complete**

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

15. Remarks: **This temporary application to change is being filed to document modifications to the conveyance system and diversion works necessitated by damage from the January 1997 flood event.**

By **R.O. ANDERSON ENGINEERING, INC.**
Robert O. Anderson, P.E.
s/Robert O. Anderson
P.O. Box 2294
Minden, Nevada 89423

Compared **dl/cmf** dl/cmf

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 temporary permit to change the point of diversion of a portion of Claim No. 229 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 December 31, 1999 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 **sufficient water for the irrigation of 1.0 acre at the decreed duty as set forth in the Carson River Decree.**

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

Proof of completion of work shall be filed before:

Water must be placed to beneficial use 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 18th day of August, A.D. 1999

R. Michael Turnipseed P.E.
State Engineer

DEC 3 1 1999

Response to No. 6:

The existing point of diversion is located within the SW1/4 SE1/4 of Section 31, T.13N, R.20 E., M.D.M., Island Ditch from the right bank of Home Stream, 250' below its head as decreed. Please note that the actual location of the Home Stream diversion was previously relocated from the decreed location due to hydraulic conditions within the river. The actual location of the diversion is as described in the response to No. 5, above.