NO. 65867 ASSIGNED

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 14 2000**

Returned to applicant for correction _____

Corrected application filed _____

Map filed **JAN 18 2000**

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The applicant **Michael B. Stewart** hereby makes application for permission to change the **Place of Use** of water heretofore appropriated under **Permit 45342, Certificate 11288**

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1. The source of water is **Holy Lake Creek**

2. The amount of water to be changed **10.0 cfs, not to exceed 3,424.00 acre-feet annually**

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

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

5. The water is to be diverted at the following point **unchanged**

6. The existing permitted point of diversion is located within **SW¼ SW¼ Section 5, T.44N., R.19E., M.D.B.&M., or at a point from which the SW Corner of said Section 5, bears S. 57° 20' W., a distance of 1,190.0 feet**

7. Proposed place of use **See Attachment "A"**

8. Existing place of use **See Attachment "B"**

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 **existing reservoir, dam, outlet channel and distribution system**

12. Estimated cost of works **completed**

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

14. Estimated time required to complete the application of water to beneficial use **four (4) years**

15. Remarks: **This application is supplemental to Permit 45390, Certificate 11289 and Permit 44600, Certificate 11287, and also to portions of Permit 4495, Certificate 843 and Permit 10424, Certificate 3506**

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

Compared **gkl/cmf** hf/cmf

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 place of use of the waters of Holy Lake Creek as heretofore granted under Permit 45342, Certificate 11288 is issued subject to the terms and conditions imposed in said Permit 45342, Certificate 11288 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change 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 4495, Certificate 843; 10424, Certificate 3506; 65867, 65868, and 65869 shall not exceed 3,424.0 acre-feet annually.

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 3)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **10.0** cubic feet per second, **but not to exceed 3,424.0 acre-feet annually, and not to exceed a yearly duty of 4.0 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:
July 20, 2001

Proof of completion of work shall be filed before:
August 20, 2001

Water must be placed to beneficial use on or before:
July 20, 2004

Proof of the application of water to beneficial use shall be filed on or before:
August 20, 2004

Map in support of proof of beneficial use shall be filed on or before:
August 20, 2004

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 **20th** day of, **July** A.D. **2000**

Hugh Ricci, P.E.
State Engineer
by Hugh Ricci, P.E., Deputy State Engineer

Completion of work filed SEP 12 2001

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

ATTACHMENT "A"
PERMIT 44600, CERTIFICATE 11287
PERMIT 45342, CERTIFICATE 11288
PERMIT 45390, CERTIFICATE 11289

7. Proposed Place of Use

17.0 ac., SW¼ NW¼, Section 4, T.44N., R.19E., M.D.B. & M.
40.0 ac., SE¼ NW¼, Section 4, T.44N., R.19E., M.D.B. & M.
32.0 ac., NW¼ SW¼, Section 4, T.44N., R.19E., M.D.B. & M.
40.0 ac., SW¼ SW¼, Section 4, T.44N., R.19E., M.D.B. & M.
40.0 ac., SE¼ SW¼, Section 4, T.44N., R.19E., M.D.B. & M.
40.0 ac., NE¼ SW¼, Section 4, T.44N., R.19E., M.D.B. & M.
28.0 ac., NE ¼ NW ¼, Section 4, T.44N., R.19E., M.D.B. & M.
30.0 ac., NE¼ NE¼, Section 8, T.44N., R.19E., M.D.B. & M.
8.0 ac., SW¼ NE¼, Section 8, T.44N., R.19E., M.D.B. & M.
32.0 ac., SE¼ NE¼, Section 8, T.44N., R.19E., M.D.B. & M.
40.0 ac., NE¼ SE¼, Section 8, T.44N., R.19E., M.D.B. & M.
28.0 ac., SW¼ SE¼, Section 8, T.44N., R.19E., M.D.B. & M.
40.0 ac., SE¼ SE¼, Section 8, T.44N., R.19E., M.D.B. & M.
36.0 ac., NE¼ NW¼, Section 9, T.44N., R.19E., M.D.B. & M.
40.0 ac., NW¼ NW¼, Section 9, T.44N., R.19E., M.D.B. & M.
40.0 ac., SW¼ NW¼, Section 9, T.44N., R.19E., M.D.B. & M.
40.0 ac., SE¼ NW¼, Section 9, T.44N., R.19E., M.D.B. & M.
40.0 ac., NE¼ SW¼, Section 9, T.44N., R.19E., M.D.B. & M.
40.0 ac., NW¼ SW¼, Section 9, T.44N., R.19E., M.D.B. & M.
40.0 ac., NE¼ NE¼, Section 17, T.44N., R.19E., M.D.B. & M.
32.0 ac., NW¼ NE¼, Section 17, T.44N., R.19E., M.D.B. & M.
40.0 ac., SW¼ NE¼, Section 17, T.44N., R.19E., M.D.B. & M.
40.0 ac., SE¼ NE¼, Section 17, T.44N., R.19E., M.D.B. & M.
20.0 ac., SE¼ NW¼, Section 17, T.44N., R.19E., M.D.B. & M.
8.0 ac., NE¼ SW¼, Section 17, T.44N., R.19E., M.D.B. & M.
5.0 ac., NE¼ SE¼, Section 17, T.44N., R.19E., M.D.B. & M.
20.0 ac., NW¼ SE¼, Section 17, T.44N., R.19E., M.D.B. & M.

856 Acres Total

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ATTACHMENT "B"
PERMIT 44600, CERTIFICATE 11287
PERMIT 45342, CERTIFICATE 11288
PERMIT 45390, CERTIFICATE 11289

8. Existing Place of Use

17.0 acres in the SW ¼ NW ¼ Section 4, T.44N., R.19E., M.D.B. & M.
40.0 acres in the SE ¼ NW ¼ Section 4, T.44N., R.19E., M.D.B. & M.
32.0 acres in the NW ¼ SW ¼ Section 4, T.44N., R.19E., M.D.B. & M.
40.0 acres in the SW ¼ SW ¼ Section 4, T.44N., R.19E., M.D.B. & M.
40.0 acres in the SE ¼ SW ¼ Section 4, T.44N., R.19E., M.D.B. & M.
40.0 acres in the NE ¼ SW ¼ Section 4, T.44N., R.19E., M.D.B. & M.
30.0 acres in the NE ¼ NE ¼ Section 8, T.44N., R.19E., M.D.B. & M.
8.0 acres in the SW ¼ NE ¼ Section 8, T.44N., R.19E., M.D.B. & M.
32.0 acres in the SE ¼ NE ¼ Section 8, T.44N., R.19E., M.D.B. & M.
40.0 acres in the NE ¼ SE ¼ Section 8, T.44N., R.19E., M.D.B. & M.
28.0 acres in the SW ¼ SE ¼ Section 8, T.44N., R.19E., M.D.B. & M.
40.0 acres in the SE ¼ SE ¼ Section 8, T.44N., R.19E., M.D.B. & M.
36.0 acres in the NE ¼ NW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
40.0 acres in the NW ¼ NW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
40.0 acres in the SW ¼ NW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
40.0 acres in the SE ¼ NW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
40.0 acres in the NE ¼ SW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
40.0 acres in the NW ¼ SW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
8.0 acres in the SW ¼ SW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
20.0 acres in the SE ¼ SW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
40.0 acres in the NE ¼ NE ¼ Section 17, T.44N., R.19E., M.D.B. & M.
32.0 acres in the NW ¼ NE ¼ Section 17, T.44N., R.19E., M.D.B. & M.
40.0 acres in the SW ¼ NE ¼ Section 17, T.44N., R.19E., M.D.B. & M.
40.0 acres in the SE ¼ NE ¼ Section 17, T.44N., R.19E., M.D.B. & M.
20.0 acres in the SE ¼ NW ¼ Section 17, T.44N., R.19E., M.D.B. & M.
8.0 acres in the NE ¼ SW ¼ Section 17, T.44N., R.19E., M.D.B. & M.
5.0 acres in the NE ¼ SE ¼ Section 17, T.44N., R.19E., M.D.B. & M.
20.0 acres in the NW ¼ SE ¼ Section 17, T.44N., R.19E., M.D.B. & M.

856 acres total

28.0 acres being removed from irrigation in the following subdivisions

8.0 acres in the SW ¼ SW ¼ Section 9, T.44N., R.19E., M.D.B. & M.
20.0 acres in the SE ¼ SW ¼ Section 9, T.44N., R.19E., M.D.B. & M.