



THE STATE OF NEVADA
PERMIT TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Name of applicant: YOUNG BROS., A NEVADA GENERAL PARTNERSHIP
Source: KINGSTON CREEK & TRIBUTARIES
Basin: BIG SMOKY VALLEY-NORTHERN PART
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 11/17/1966

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 the waters of Kingston Creek, as heretofore appropriated under Proofs V02410, V02411, V02412 and V02416 as appears in Certificate No. 366, IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS IN AND TO THE WATERS OF KINGSTON CREEK (ALSO KNOWN AS BIG SMOKY CREEK) AND ITS TRIBUTARIES IN LANDER COUNTY, NEVADA, IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF NEVADA, in the District Court in and for the County of Lander is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

Monthly records shall be kept of the amount of water diverted from this source and the records submitted to the State Engineer annually within 15 days after the end of the calendar year.

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 Permit 13058, Certificate 3436; Permit 13064, Certificate 3440; Permit 13065, Certificate 3451; and Permit 25779, Certificate 8295, shall not exceed 4.0 acre-feet per acre from any and/or all sources.

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

This permit is issued subject to the provisions set forth in State Engineer's Ruling No. 5788, dated October 8, 2007.

Prior to the diversion or delivery of water under this permit, the permittee must notify the State Engineer's Office that measuring devices with continuous recorders have been installed pursuant to Ruling No. 5788.

The point of diversion and place of use are as described on the submitted application to support this 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 1.74 cubic feet per second or 347.24 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: December 12, 2008
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: December 12, 2009
Map in support of proof of beneficial use shall be filed on or before: December 12, 2009

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 12th day of December, A.D. 2007

Tracy Taylor P.E.
State Engineer

Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

NO. 67297

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 MAR 01 2001

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAR 21 1978 under 34444

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The applicant **Young Bros., A Nevada General Partnership** hereby make application for permission to change the **Point of Diversion**, of water heretofore appropriated under **Proof 02410, 02411, 02412, 02416 Certificate No. 366**

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1. The source of water is **Kingston (AKA Big Smoky) Creek and Tributaries**
2. The amount of water to be changed **1.74 c.f.s., 347.24 acre-feet**
3. The water to be used for **as Decreed**
4. The water heretofore permitted for **as Decreed**
5. The water is to be diverted at the following point **NW¼ NE¼ of Section 35, T.16N., R.43E., M.D.M. or at a point from which the NE¼ corner of said section 35 bears N. 78° 22' E. a distance of 2680.00 feet.**
6. The existing permitted point of diversion is located within **NW¼ NE¼ of Section 29, T.16N., R.44E., M.D.M. or at a point from which the NE¼ corner of section 21 T.16N., R.44E., M.D.M. bears N. 49° 30' E. a distance of 9083.43 feet.**
7. Proposed place of use **15.14 acres in the SE¼ SW¼, 0.88 acres in the SW¼ SW¼, 26.05 acres in the SW¼ SE¼, 4.34 acres in the SE¼ SE¼, Section 16, 34.40 acres in the NE¼ NW¼, 2.28 acres in the NW¼ NE¼, 1.09 acres in the NE¼ NE¼, 2.63 acres in the SE¼ NW¼, Section 21, All in T.16N., R.44E., M.D.M.**
8. Existing place of use **No Change**
9. Use will be from **As Decreed**
10. Use was permitted from **As Decreed**
11. Description of proposed works **Headworks and Pipeline**
12. Estimated cost of works **Existing**
13. Estimated time required to construct works **Existing**
14. Estimated time required to complete the application of water to beneficial use **2 years**

**67297**

15. Remarks: **This application is to change the point of diversion of the water from Kingston Creek covered under Certificate 366. Please use map filed under 34444.**

**By Ralph Young  
s/ Ralph A. Young  
H.C. 65 Box A  
Austin NV, 89310**

Compared gkl/CMF

Protested 5-21-01 by James L. Wood; 5-31-01 by Kingston Management Association, Inc.;  
Pro. overruled 10/8/2007 See Ruling #5788

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