No. 68200

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 **NOV 14 2001**

Returned to applicant for correction

Corrected application filed

Map filed **NOV 14 2001 under 68038**

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The applicant **DGD Development Limited Partnership, a Nevada Limited Partnership** hereby makes application for permission to change the **Manner and Place of Use of a Portion** of water heretofore appropriated under **Permit 50072, Certificate 12437**

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1. The source of water is **Unnamed Creek and Tributaries**

2. The amount of water to be changed **0.229 cfs, not to exceed 137.622 acre feet**

3. The water to be used for **Instream Flow**

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

5. The water is to be diverted at the following point **SW¼ NW¼, Section 27, T.16N., R.19E., M.D.B.&M.; or at a point from which the NW corner of said Section 27 bears N. 02° 27' 24" W., a distance of 1448.56 feet.**

6. The existing permitted point of diversion is located within **Unchanged**

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 diversion works, then by pipeline to Musgrove Creek, then by Creek Channel to proposed Place of Use.**

12. Estimated cost of works **Dependent upon Permit Terms**

13. Estimated time required to construct works **Dependent upon Permit Terms**

14. Estimated time required to complete the application of water to beneficial use **Six (6) Years**

15. Remarks: **This water will be diverted at the source to provide instream flows within the Proposed Place of Use. Upon passing the Vista Gauge, the water will be considered return flow and become available for downstream water rights users. Water is being co-mingled with water changed under Permits 18198 and 50071.**

By **Gregory M. Bilyeu**
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, NV 89511

Compared **my/cmf**

Protested 2/4/02 by Churchill County; 3/14/02 by Washoe County;

68200

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DENIAL OF STATE ENGINEER

The protests are hereby upheld, and this application is hereby denied on the grounds that the proposed changes would conflict with existing rights and threaten to prove detrimental to the public interest. Denial Vacated by Court Order 12/8/10

IN TESTIMONY WHEREOF, I, **TRACY TAYLOR, P.E.**, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of February, A.D. 2009

FOR State Engineer

ATTACHMENT "A"
PROPOSED PLACE OF USE

SECTION	SUBDIVISION	TOWNSHIP	RANGE
	LITTLE WASHOE LAKE		
	WASHOE LAKE		
13	SE NE	T.17N.	R.19E.
13	NE SE	T.17N.	R.19E.
13	NW SE	T.17N.	R.19E.
13	SE SW	T.17N.	R.19E.
13	NE SW	T.17N.	R.19E.
24	NW NW	T.17N.	R.19E.
24	NE NW	T.17N.	R.19E.
4	NE NW	T.17N.	R.20E.
4	SE NW	T.17N.	R.20E.
4	SW NW	T.17N.	R.20E.
4	NW SW	T.17N.	R.20E.
5	NE SE	T.17N.	R.20E.
5	SE SE	T.17N.	R.20E.
5	SW SE	T.17N.	R.20E.
7	NE SE	T.17N.	R.20E.
7	SE SE	T.17N.	R.20E.
7	SW SE	T.17N.	R.20E.
8	NW NE	T.17N.	R.20E.
8	NW NW	T.17N.	R.20E.
8	SW NW	T.17N.	R.20E.
8	NE NW	T.17N.	R.20E.
8	NW SW	T.17N.	R.20E.
18	NE NW	T.17N.	R.20E.
18	SW NW	T.17N.	R.20E.
18	NW NW	T.17N.	R.20E.
18	NW NE	T.17N.	R.20E.
3	NW NW	T.18N.	R.20E.
3	NE NW	T.18N.	R.20E.
3	SW NW	T.18N.	R.20E.
3	NW SW	T.18N.	R.20E.
3	SW SW	T.18N.	R.20E.
10	NW NW	T.18N.	R.20E.
10	SW NW	T.18N.	R.20E.
10	NW SW	T.18N.	R.20E.
10	SW SW	T.18N.	R.20E.
15	NW NW	T.18N.	R.20E.
15	SW NW	T.18N.	R.20E.
15	NW SW	T.18N.	R.20E.
16	NE SE	T.18N.	R.20E.
16	SW SE	T.18N.	R.20E.
16	SE SE	T.18N.	R.20E.
21	NW NE	T.18N.	R.20E.
21	SW NE	T.18N.	R.20E.

ATTACHMENT "A"
PROPOSED PLACE OF USE

SECTION	SUBDIVISION	TOWNSHIP	RANGE
21	NW SE	T.18N.	R.20E.
21	SW SE	T.18N.	R.20E.
28	NE NW	T.18N.	R.20E.
28	NW NE	T.18N.	R.20E.
28	SW NE	T.18N.	R.20E.
28	NW SE	T.18N.	R.20E.
28	SW SE	T.18N.	R.20E.
33	NW NE	T.18N.	R.20E.
33	SW NE	T.18N.	R.20E.
33	NW SE	T.18N.	R.20E.
33	SW SE	T.18N.	R.20E.
33	SE SW	T.18N.	R.20E.
11	SW SE	T.19N.	R.20E.
11	SE SE	T.19N.	R.20E.
12	SW SW	T.19N.	R.20E.
12	SE SW	T.19N.	R.20E.
13	NW NW	T.19N.	R.20E.
13	NE NW	T.19N.	R.20E.
13	NW NE	T.19N.	R.20E.
14	NW SW	T.19N.	R.20E.
14	SW SW	T.19N.	R.20E.
14	SW NW	T.19N.	R.20E.
14	NE NW	T.19N.	R.20E.
14	SE NW	T.19N.	R.20E.
14	NW NE	T.19N.	R.20E.
14	NE NE	T.19N.	R.20E.
15	SE SE	T.19N.	R.20E.
22	NE SW	T.19N.	R.20E.
22	SW SW	T.19N.	R.20E.
22	SE SW	T.19N.	R.20E.
22	NW SE	T.19N.	R.20E.
22	SE NW	T.19N.	R.20E.
22	SW NE	T.19N.	R.20E.
22	NW NE	T.19N.	R.20E.
22	NE NE	T.19N.	R.20E.
23	NW NW	T.19N.	R.20E.
27	NW NW	T.19N.	R.20E.
28	SE SE	T.19N.	R.20E.
28	NE SE	T.19N.	R.20E.
28	SE NE	T.19N.	R.20E.
28	NE NE	T.19N.	R.20E.
33	NE NE	T.19N.	R.20E.
34	SE SW	T.19N.	R.20E.
34	NW SW	T.19N.	R.20E.
34	SW SW	T.19N.	R.20E.
34	SW NW	T.19N.	R.20E.
34	NW NW	T.19N.	R.20E.

Use maps on file under Permits 62486 & Application 66526 to illustrate the proposed place of use.

Attachment "B"

8. Existing Place of Use - Permit 50072

Acres	Quarter	Quarter	Section	Twnshp	Range
32.5	NE	NE	22	16N	19E
15.0	NW	NE	22	16N	19E
1.4	SW	NE	22	16N	19E
16.6	SW	NE	22	16N	19E
40.0	SE	NE	22	16N	19E
34.0	NE	SE	22	16N	19E
14.8	NW	SE	22	16N	19E
32.0	NE	NE	23	16N	19E
33.5	NW	NE	23	16N	19E
35.0	NE	NW	23	16N	19E
3.8	NW	NW	23	16N	19E
32.2	NW	NW	23	16N	19E
33.0	SW	NW	23	16N	19E
5.0	SE	NW	23	16N	19E
17.0	NE	SW	23	16N	19E
15.0	NW	SW	23	16N	19E
360.8		TOTAL ACREAGE			

Acreage being removed under this application

Acres	Quarter	Quarter	Section	Twnshp	Range
16.67	NE	NE	22	16N	19E
0.35	NW	NE	22	16N	19E
1.17	SW	NE	22	16N	19E
7.45	SW	NE	22	16N	19E
27.46	SE	NE	22	16N	19E
14.99	NE	SE	22	16N	19E
12.79	NW	SE	22	16N	19E
32.00	NE	NE	23	16N	19E
3.01	NW	NE	23	16N	19E
	NE	NW	23	16N	19E
	NW	NW	23	16N	19E
15.06	NW	NW	23	16N	19E
23.23	SW	NW	23	16N	19E
	SE	NW	23	16N	19E
5.78	NE	SW	23	16N	19E
7.22	NW	SW	23	16N	19E
167.18		TOTAL ACREAGE			

Note: Acreage being stripped includes portions of the NE ¼ NE ¼ & NW ¼ NE ¼, Section 23 that are appurtenant to lands owned by NDOT and the Division of State Lands. Water rights under Permit 50072 were applied and certificated in trespass after these lands were conveyed out of original ownership. Use map filed under Permit 50071 to illustrate the existing and proposed points of diversion.