

NO. 68647

**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 22 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 10 1961 under 19901

The applicant **Christo D. Bardis and Lara II, Inc**, a California Corporation hereby makes application for permission to change the **Manner of Use, Place of Use, and Point of Diversion** of water heretofore appropriated under **Claim 757, 767, & 768 of the Carson River Decree**

1. The source of water is **Carson River**
2. The amount of water to be changed **233.50 acre-feet (93.4 acres)**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **NW¼ SW¼, Section 4, T.16N., R.22E., M.D.B.&M., or at a point from which the SW corner of said Section 4, bears S. 04° 02' 12" W., a distance of 1,553.0 feet.**
6. The existing permitted point of diversion is located within **As Decreed – Upper & Lower Cardelli from west bank in NE corner, SE¼ SE¼ Section 14, T.16N., R.21E., M.D.B.&M.**
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 **As Decreed**
11. Description of proposed works **Existing well along the Carson River under surface water influence. Well to be converted to an infiltration well.**
12. Estimated cost of works **\$100,000.00**
13. Estimated time required to construct works **Five (5) Years**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) Years**
15. Remarks: **See Attachment "C"**

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

Compared gkl/cmf lb/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 permit to change the point of diversion, place of use and manner of use of the waters of Claim Nos. 757, 767 and 768 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 and conditions imposed in said Final Decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed and accurate measurements of water placed to beneficial use must be kept.

The issuance of this permit is for the consumptive use portion only, being 2.5 acre-feet per acre of the base right. With the approval of this application Claim Nos. 757, 767 and 768 are totally abrogated.

A portion of this permit changes the point of diversion of water previously diverted under Claim No. 757 from Segment 7a of the Carson River to Segment 7b, thus the priority date of that portion of Claim No. 757, being 12.75 acre-feet annually, will be its filing date, March 22, 2002 and shall not be pumped from this induction well when the river is being regulated by the Federal Water Master. The priority date of the portion changing Claims 767 and 768, remain as decreed and shall be regulated as decreed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

The total combined duty of water under Permits 68193, 68646 and 68647 shall not exceed 851.55 acre-feet annually.

The location and design of the induction well must be approved by the State Engineer prior to the drilling of the induction well.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **as decreed** cubic feet per second, **but not to exceed 233.50 acre-feet annually.**

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

October 27, 2008

Proof of completion of work shall be filed before:

November 27, 2008

Water must be placed to beneficial use on or before:

October 27, 2013

Proof of the application of water to beneficial use shall be filed on or before:

November 27, 2013

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this **27th** day of **October**, A.D. **2003**



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed **N/A** _____

Certificate No. _____ Issued _____

Abrogated By: **70656 as decreed**

ATTACHMENT "A"

7. Proposed Place of Use

T.16N., R.21E., M.D.B. & M.:

All of Section 1; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; All of Section 11; SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12; Portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13; E $\frac{1}{2}$, Section 14; SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$, Section 23; N $\frac{1}{2}$ Section 24; Portions of the NW $\frac{1}{4}$, Section 26; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33; N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 34.

T.16N., R.22E., M.D.B. & M.:

All of Section 3; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4; Portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6; W $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 9; NW $\frac{1}{4}$ Section 16; All of Section 17; S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 18; All of Section 19.

T.17N., R.21E., M.D.B. & M.:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36.

T.17N., R.22E., M.D.B. & M.:

S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, Section 31; S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33; SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 34.

ATTACHMENT "B"

8. Existing Place of Use - Claim 757, 767 and 768

5.1 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$, S. of Low. Cardelli Ditch, Section 33, T.17N., R.22E., M.D.B. & M

1.0 acre in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE Cor., N of River, Section 4, T.16N., R.22E., M.D.B. & M.

14.4 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, btw. Riv. & Ditch, Section 4, T.16N., R.22E., M.D.B. & M

3.9 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, W edge bel. Ben., Section 4, T.16N., R.22E., M.D.B. & M.

14.8 acres in the S $\frac{1}{2}$ SW $\frac{1}{4}$, N of low lat. ditch, Section 34, T.17N., R.22E., M.D.B. & M

16.8 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, all below ditch, Section 34, T.17N., R.22E., M.D.B. & M

10.0 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, W. part, Section 34, T.17N., R.22E., M.D.B. & M

12.5 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, W. part, W of slough, Section 34, T.17N., R.22E., M.D.B. & M

8.8 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, low bottom, Section 33, T.17N., R.22E., M.D.B. & M

6.1 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW cor, N of River, Section 34, T.17N., R.22E., M.D.B. & M

The entire place of use consisting of 93.4 acres is being removed from irrigation.

ATTACHMENT "C"

15. Remarks

This application is being filed along with two (2) others to change the point of diversion, manner and place of use of surface rights appurtenant to the Rolling "A" Ranch in Lyon County. Total combined duty of these three applications will not exceed 832.85 acre-feet. Water will be co-mingled with surface and groundwater rights under Permits 63623 through 63633 and Permit 66427 to provide municipal water service within the place of use. For existing point of diversion and place of use of Claims 757, 767 & 768, refer to maps filed under the Carson River decree. For proposed point of diversion, refer to map filed under Permit ~~63629~~ ⁶²⁹³⁷. For proposed place of use, refer to map filed under Permit 62937. This application replaces Application 68195 which has been withdrawn.