No. 68722

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 APR 19 2002

Returned to applicant for correction

Corrected application filed

Map filed APR 19 2002 under 68719

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The applicant **Lisa A. Schirmeister and Joseph W. Johnson**, hereby makes application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Permit 49278**

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1. The source of water is **Underground**

2. The amount of water to be changed **0.1308 cfs not to exceed 55.5/acre-feet**

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

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

5. The water is to be diverted at the following point **SE¼ NE¼, Section 26, T.11N., R.26E., M.D.B.&M., or at a point from which the E¼ corner of said Section 26 bears S. 84°38'22" E., a distance of 1100.00 feet.**

6. The existing permitted point of diversion is located within **Within the SE¼ NE¼, Section 36, T.11N, R.26E., M.D.B.&M., or at a point from where the NW corner of Section 31, T.11N., R.27E., M.D.B.&M., bears N. 19°20'52" E., a distance of 1485.72 feet.**

7. Proposed place of use **SW¼ NE¼, SE¼ NE¼, Section 26, T.11N., R.26E., M.D.B.&M.**

8. Existing place of use **See Exhibit "A"**

9. Use will be from **April 1** to **October 31** of each year.

10. Use was permitted from **April 1** to **October 31** of each year.

11. Description of proposed works **Drilled well, equipped with a motor, pump, meter and distribution system.**

12. Estimated cost of works **$50,000.00**

13. Estimated time required to construct works **Three (3) Years**

14. Estimated time required to complete the application of water to beneficial use **Five (5) Years**

15. Remarks: **This Application is being filed to Change the Point of Diversion and Place of Use of a portion of Permit 49278 appertenant to 54 acres within the described Place of Use and further described as APN 12-471-79. The total combined duty of Applications to Change portions of Permits 49274, 49276, 49277 and 49278 shall not exceed 216 acre-feet.**

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

Compared **cmf/** cam dl/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 point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 49278 is issued subject to the terms and conditions imposed in said Permit 49278 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 68719, 68720, 68721 and 68722 and any water of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 216.0 acre-feet per season for the irrigation of 54.0 acres. The permit holder is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to these permits. In any year the Walker River Irrigation District declares a full allocation of decreed water to the priority years of C-125 decree claims supplemental to these permits; underground water shall not be pumped from the wells described in these permits.

These permits for underground water are issued as a supplemental water supply to lands that have a surface water right from the East Walker River from Claim Nos. 17 and 133 of the Walker River Decree C-125 or from storage water provided from the Walker River Irrigation District.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.1308** cubic feet per second, **but not to exceed 55.51 acre-feet seasonally, and not to exceed a seasonal 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:

November 4, 2004

Proof of completion of work shall be filed before:

December 4, 2004

Water must be placed to beneficial use on or before:

November 4, 2006

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

December 4, 2006

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

December 4, 2006

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **4th** day of **November,** A.D. **2002**

Hugh Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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EXHIBIT "A"

T.11N., R.26E., M.D.B.&M.
Section 14: SE¼SW¼
Section 23: NE¼NW¼, E½
Section 26: NE¼, E½SE¼
Section 25: NW¼SW¼, S½SW¼, SW¼SE¼
Section 36: All

T.11N., R.27E., M.D.B.&M.
Section 31: SW¼NW¼, SW¼

T.10N., R.26E., M.D.B.&M.
Section 1: NE¼NE¼

T.10N., R.27E., M.D.B.&M.
Section 6: N½, SE¼, NW¼SW¼, E½SW¼
Section 5: NW¼SW¼, S½SW¼
Section 7: N½NE¼, SE¼NE¼, NE¼SE¼
Section 8: W½, SE¼, W½NE¼
Section 17: E½, N½NW¼, SE¼NW¼
Section 16: SW¼, W½NW¼, SW¼SE¼
Section 20: E½NE¼, E½SE¼
Section 21: W½, W½NE¼, W½SE¼
Section 29: NE¼NE¼
Section 28: NW¼, W½NE¼, N½SW¼, W½SE¼
~~Section 9: SW¼ SW¼~~ see letter 9-17-85 MM

54 Acres being removed from irrigation:

40 Acres SW ¼ NE ¼, Section 26, T.11N., R 26E. M.D.B. & M.

14 Acres SE ¼ NE ¼, Section26, T.11N., R 26E. M.D.B. & M.