No. 68770

AMENDED
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 **MAY 03 2002**

Returned to applicant for correction **JUN 12 2002**

Corrected application filed **AUG 02 2002**

Map filed **AUG 05 2002 under 68767**

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The applicant **Marilyn Carey Potter Children's Trust**, hereby makes application for permission to change the **point of diversion and place and manner of use** of water heretofore appropriated under **Permit 7636, Certificate 2638**

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

2. The amount of water to be changed **0.7836 c.f.s.**

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

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

5. The water is to be diverted at the following point **SE¼ SW¼ Section 34, T.13N., R.23E., M.D.B.&M., or at a point which bears S. 18 degrees 10'59" E., 4414.34 feet from the NW corner of said Section 34.**

6. The existing permitted point of diversion is located within **in the SE¼ SE¼ Section 27, T.13N., R.23E., M.D.B.&M., or at points that bear N. 45 degrees 35' W.; N. 39 degrees W., N. 26 degrees 37' W. and N. 13 degrees 18' W., 1,810 feet; 1,562 feet; 1,305 feet; and 1,210 feet, respectively, from the SE Corner of said Section 27.**

7. Proposed place of use **The proposed place of use is portions of the following: NW¼ and N½ SW¼ Section 3, and the NE¼ SE¼ Section 4, T.12N., R.23E., M.D.B.&M.; NE¼ and the E½ NW¼, NE¼ SW¼ and the NW¼ SE¼ and the S½ SW¼ Section 34, T.13N., R.23E., M.D.B.&M.; N½ N½ and the SW¼ NW¼ Section 35, T.13N., R.23E., M.D.B.&M.; All of Section 26, T.13N., R.23E., M.D.B.&M.; SE¼ SW¼, S½ NE¼ and the SE¼ Section 27, T.13N., R.23E., M.D.B.&M.**

8. Existing place of use **21.28 acres in the SE¼ SE¼ Section 27, T.13N., R.23E., M.D.B.&M. 38.03 acres in the NE¼ NE¼ Section 34, T.13N., R.23E., M.D.B.&M. 19.05 acres in the SE¼ NE¼ Section 34, T.13N., R.23E., M.D.B.&M. 78.36 Acres Total**

9. Use will be from **January 1** to **December 31** of each year.

10. Use was permitted from **March 1** to **November 1** of each year.

11. Description of proposed works **Drilled well, pump and distribution system**

12. Estimated cost of works **$25,000**

13. Estimated time required to construct works **3 Years**

14. Estimated time required to complete the application of water to beneficial use **5 years.**

15. Remarks: **Use map filed in support of Proof of Beneficial Use for Permit No. 7636 for existing place of use.**

By **James P. Haddan, SWRS #575, Agent**
s/James P. Haddan
206 South Minnesota Street
Carson City, Nevada 89703

Compared **cmf/** cac lb/sam

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, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 7636, Certificate 2638 is issued subject to the terms and conditions imposed in said Permit 7636, Certificate 2638 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 total combined duty of water under Permits 68767, 68768, 68769, 68770, 68771, 68772, 68773, 68774, 68775, 68776, 68777, 68778, 68779, and 68780 shall not exceed 3684.91 acre-feet annually for irrigation of 880.17 acres within the described place of use.

(CONTINUED ON PAGE 3)

68770

(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 **0.7836** cubic feet per second, **but not to exceed 380.0 acre-feet annually, and not to exceed an annual duty of 4.86 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:

April 4, 2006

Proof of completion of work shall be filed on or before:

May 4, 2006

Water must be placed to beneficial use on or before:

April 4, 2008

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

May 4, 2008

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

May 4, 2008

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 **April,** A.D. **2003**

Hugh Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____