No. 68998

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 **JUL 29 2002**

Returned to applicant for correction

Corrected application filed

Map filed **JAN 11 1983 under 46519**

****

The applicant **BENTLY FAMILY LIMITED PARTNERSHIP** hereby makes application for permission to change the **Point of Diversion and Place of Use of Use** of water heretofore appropriated under **Carson River Claim No. 164**

****

1. The source of water is **The East Fork of the Carson River**

2. The amount of water to be changed **180.0 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 **SW ¼ SW ¼ of Section 24, T21N, R20E, MDB&M or at a point from which the South quarter corner of Section 23, T12N, R20E, MDB&M bears South 74° 41' 05" West, a distance of 3,077 feet (Allerman Canal)**

6. The existing permitted point of diversion is located within **The Company Ditch from Right Bank 247 feet W of NE Corner NW ¼ SE ¼ Section 10, T12N, R20E, MDM as described on Page 38 of the Carson River Decree**

7. Proposed place of use **40.0 acres within the SE ¼ S-4; SW ¼, W ½ SE ¼ S-3; E ½ S-9; W ½, W ½ E ½ S-10; NE ¼, N ½ SE ¼ S-16; NW ¼, N ½ SW ¼, W ½ NE ¼, N ½ SE ¼ S-15; All in T13N, R20E, MDB&M Douglas County, Nevada**

8. Existing place of use **40.0 acres within the NE ¼ SE ¼ of Section 33, T13N, R20E, MDM Douglas County, Nevada**

9. Use will be from **As Decreed**

10. Use was permitted from **As Decreed**

11. Description of proposed works **Existing diversion structure in the East Fork of the Carson River – Allerman Canal to ditches, then to a pumping station to portable solid set sprinklers**

12. Estimated cost of works **Approximately $20,000**

13. Estimated time required to construct works **Compleated**

14. Estimated time required to complete the application of water to beneficial use **1 Year**

68998

15. Remarks: **Please use the map on file under Application 46519 to show the proposed Point of Diversion and Division of Water Resources Drawing No. CR-031 to show the existing Place of Use. Please use the map filed to support Application 68443 to show the proposed place of Use. The amount of water being changed is based on annual duty of 4.5 acre feet per acre as set forth in the Carson River Decree.**

By B. J. Vasey
s/B. J. Vasey
Post Office Box 1120
Minden, Nevada 89423

Compared sg/ cmf ag/ 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 and place of use of Claim No. 164 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, conditions and irrigation period imposed in said Final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

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.

This permit is limited to the irrigation of 40 acres within the proposed place of use.

The combined area to be irrigated from the Carson River under Permits 67869, 67870, 67871, 67872, 67873, 68443, 68444, 68997, 68998, 68999, 69000, 69001, 69002, 69003 and 69004 is limited to 555.18 acres within the proposed place of use.

(CONTINUED ON PAGE 3)

68998

(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 **the decreed duty of acre-feet per acre of land irrigated from any and all sources for the irrigation of 40 acres.**

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

N/A

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

N/A

Water must be placed to beneficial use on or before:

March 18, 2005

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

April 18, 2005

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

April 18, 2005

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **18th** day of **March,** A.D. **2004**

H. Ricci P.E.

State Engineer

Completion of work filed AUG 31 1989 under 51320

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____