

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 DEC 13 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 13 2002

The applicant **Circle Bar "N" Ranch, A Nevada General Partnership**, hereby makes application for permission to change the **Point of Diversion** of water heretofore appropriated under **Claim No. 9 of the Walker River Decree, United States of America vs Walker River Irrigation District et. al. in equity C-125, U.S. District Court.**

1. The source of water is **Walker River**
2. The amount of water to be changed **453.00 acres – 1453.04 ac/ft – 5.44 cfs. – As Decreed**
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 **NW¼ NW¼ of Section 15, T13N, R25E, MDM., or at a point from which the W¼ corner of Section 10, T13N, R25E, MDM., bears N 19°02'27" W, a distance of 3375.22 feet. New Proposed Point of Diversion. Ref to supporting map**
6. The existing permitted point of diversion is located within **NW¼ SW¼ of Section 15, T13N, R25E, MDM. – McLeod Ditch Ref to supporting map**
7. Proposed place of use **As Decreed**
8. Existing place of use **As Decreed**
9. Use will be from **As Decreed to As Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **New concrete structure with 30" pvc pipe and screw gate to manhole with lift pump.**
12. Estimated cost of works **\$40,000.00**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **5 Years**
15. Remarks: **This application is proposing to move the decreed point of diversion of the McLeod Ditch downstream approximately ½ mile to a point, which is closer to the decreed place of use. The proposed point of diversion is a more practical location for distribution of surface water for irrigation. Also the land which the McLeod Ditch runs through has been zoned for commercial and industrial use and will be covered by new development.**

s/Dennis Brazzanovich
By **Dennis Brazzanovich - Agent**
5405 MAE ANNE AVENUE
RENO, NV 89523

Compared cmf/cac 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 of Claim No.9 of the waters of the Walker River as appears in "Docket in Equity" C-125 filed April 15, 1936, in the District Court of the United States of America in and for the District of Nevada, is issued subject to the terms, conditions and irrigation period imposed in said 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.

Permit 69389 is granted for 5.44 cubic feet per second from the decreed source for irrigation of 453.0 acres and is subject to approval by the United States District Court for the District of Nevada.

(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 **5.44** cubic feet per second, **as decreed.**

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

November 17, 2005

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

December 17, 2005

Water must be placed to beneficial use on or before:

November 17, 2008

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

December 17, 2008

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

December 17, 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 **17th** day of **November**, A.D. **2003**


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____