

THIRD AMENDED

NO. 70942

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 12 2004

Returned to applicant for correction APR 02 2004

Corrected application filed JUL 23 2004

Map filed JUL 23 2004

The applicant **Logan Creek Estates General Improvement District** hereby makes application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Permit 22786**

1. The source of water is **Lake Tahoe**
2. The amount of water to be changed **1.0 acre-feet annually**
3. The water to be used for **Quasi-municipal and domestic**
4. The water heretofore permitted for **Quasi-municipal and domestic**
5. The water is to be diverted at the following point **NW¼ NW¼ Section 22, Township 16 North, Range 18 East, M.D.B.&M., or at a point from which the NW corner of Section 16, T16N., R18E MDM bears North 41° 03' 24" West, at a distance of 8,475.61 feet.**
6. The existing permitted point of diversion is located within **NE¼ NE¼ Section 22, Township 14 North, Range 18 East, M.D.B.&M., or at a point from which the NE corner of said Section 22 bears South 2° 00' 00" West, at a distance of 1,160 feet (Logan Shoals Creek #2).**
7. Proposed place of use **A portion of Lot 1 of Section 22, Township 16 North, Range 18 East, M.D.B.&M., Washoe County, Nevada.**
8. Existing place of use **SE¼ NE¼ Section 22, Township 14 North, Range 18 East, M.D.B.&M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Intake, pump, meter, tank, distribution lines, fountain, brook and small pond eight or ten feet in diameter.**
12. Estimated cost of works **Twenty-Five Thousand (\$25,000) dollars.**
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 Map on file with the Division of Water Resources under Application 22786 to identify the existing Point of Diversion and existing Place of Use. Water will be used for domestic, landscaping and a small water feature incorporating a small brook and small pond eight or ten feet in diameter. Attachments A & B are being submitted as additional information only.

By s/ **Thomas J. Hall**
Thomas J. Hall, Esq.
Post Office Box 3948
Reno, Nevada 89505

Compared aem/ gkl lt/gkl

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 a portion of the waters of Lake Tahoe heretofore granted under Permit 22786 is issued subject to the terms and conditions imposed in said Permit 22786 and with the understanding that no other rights at the source shall be affected by the change proposed herein. A totalizing meter must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to a beneficial use. This permit is subject to the final allocation of the State of Nevada under the California-Nevada-Interstate Compact Commission or any subsequent allocation approved by both states. 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.

(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 0.006 cubic feet per second, **but not to exceed 1.0 acre-foot annually.**

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

July 11, 2007

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

August 11, 2007

Water must be placed to beneficial use on or before:

July 11, 2010

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

August 11, 2010

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 11th day of July A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____

Attachment "A"

All that real property situate in the County of Washoe, State of Nevada, described as follows:

Parcel 1:

COMMENCING at the corner common to Sections 15, 16 21, and 22, Township 16 North, Range 18 East, M.D.B.&M; thence due South 437.62 feet along the common line between Sections 21 and 22 to a point on the Southerly right of way line of the Glenbrook-Crystal Bay State Highway as it now exists; thence South $70^{\circ}17'$ East, 566.12 feet to the true point of beginning; thence continuing South $70^{\circ}17'$ East along said Southerly right of way line of the Glenbrook-Crystal Bay State Highway 100.09 feet; thence South $30^{\circ}15'$ West, 294.46 feet to a point on the Lake Tahoe Meander Line; thence North $70^{\circ}00'$ West, 100 feet; thence North $30^{\circ}15'$; East 293.96 feet to the true point of beginning.

Parcel 1A:

All that land lying between the Southerly boundary of the hereinabove described Parcel 1 to the approximate low water line of Lake Tahoe at elevation 6,223 feet, Lake Tahoe datum; being more particularly described as follows:

BEGINNING at the Southwesterly corner of said Parcel 1; thence South $70^{\circ}00'$ East, 100 feet along said meander line to the Southeasterly corner of said Parcel 1; thence South $30^{\circ}15'$ West to the approximate low water line of Lake Tahoe at elevation 6,223 feet, Lake Tahoe datum; thence Northwesterly along said low water line to a point which is South $30^{\circ}15'$ West from said Southwesterly corner of said Parcel 1; thence North $30^{\circ}15'$ East to the place of beginning.

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Attachment "B"

All that real property situate in the County of Washoe, State of Nevada, described as follows:

Parcel 2

A portion of Lot 1 of Section 22, Township 16 North, Range 18 East, M.D.B.&M., Washoe County, Nevada, described as follows:

COMMENCING at the corner common to Sections 15, 16, 21 and 22, Township 16 North, Range 18 East, M.D.B.&M.; thence the South 437.62 feet along the common line between Sections 21 and 22 to a point on the Southerly right of way line of the Glenbrook-Crystal Bay State Highway as it now exists; thence South 70°17' East 466.03 feet to the true point of beginning; thence continuing South 70°17' East along said Southerly right of way line of the Glenbrook-Crystal Bay State Highway 100.09 feet; thence South 30°15' West 293.96 feet to a point on the Lake Tahoe Meander Line; thence North 70°00' West, 100 feet; thence North 30°15' East 293.45 feet to the point of beginning.

Parcel 2A

All that land lying between the Southerly boundary of the hereinabove described Parcel 2 to the approximate low water line of Lake Tahoe at elevation 6,223 feet, Lake Tahoe datum; further described as follows:

BEGINNING at the Southwesterly corner of said Parcel 2; thence South 70°00' East, 100 feet along said Meander Line to the Southeasterly corner of said Parcel 2; thence South 30°15' West to the approximate low water line of Lake Tahoe at elevation 6,223 feet, Lake Tahoe datum; thence Northwesterly along said low water line to a point which is South 30°15' West from said Southwesterly corner of said Parcel 2; thence North 30°15' East to the place of beginning.

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