

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 26 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 27 1993 under 59330

The applicant **Hans Burkhart** hereby makes application for permission to change the point of diversion, place and manner of use of water heretofore appropriated under a portion of Permit #63146

1. The source of water is **Underground**
2. The amount of water to be changed **40.0 Acre-Feet (See Note #15)**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **Quasi - Municipal and Domestic**
5. The water is to be diverted at the following point **SW¼ SE¼ Section 10, T17N, R19E, MDM or at a point from which the NW corner of Section 14, T17N, R19E, MDM bears S 62°00'31" E, a distance of 1,649.17 feet.**
6. The existing permitted point of diversion is located within **SW¼ SE¼ Section 33, T18N, R20E, MDM or at a point from which the S¼ corner of said Section 33 bears S 85°27'31" W, a distance of 1,059.9 feet (Well #1).**
7. Proposed place of use **Refer to Exhibit "A" attached.**
8. Existing place of use **Refer to Exhibit "B" attached.**
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 **Existing - Refer to #59330**
12. Estimated cost of works **Existing**
13. Estimated time required to construct works **Existing**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **The total combined duty of Permits 63146 and 63147 shall not exceed 40.0 acre-feet annually. Refer to maps on file with Permit 61265 for the Proposed Place of Use, Permit 63146 for the Existing Place of Use, and Permit 59330 for the Proposed Point of Diversion**

By **s/Harry R. Ericson**
Harry R. Ericson
6980 Sierra Center Parkway, Suite 100
Reno, Nevada 89511

Compared cmf/sam

Protested 8/27/04 by:John Hughes Callamont Asc., 9/3/04 by:Ann Carpenter

DENIAL OF STATE ENGINEER

The protests to this application are hereby upheld and the application is denied on the grounds that its issuance would conflict with existing rights, would conflict with protectible interests in existing domestic wells, and would threaten to prove detrimental to the public interest.

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 19th day of January, A.D. 2006.

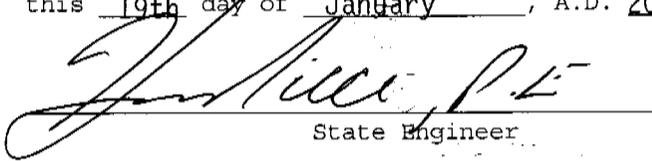

State Engineer

EXHIBIT "A"

Proposed Place of Use

T.17N., R.18E., M.D.B. & M.

All of Sections 1, 12 and 13

Section 2 - E $\frac{1}{2}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; Portions of W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11 - E $\frac{1}{2}$ NE $\frac{1}{4}$; Portions of W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14 - SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; Portions of NE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 - Portion E $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 23 - N $\frac{1}{2}$; Portions of the N $\frac{1}{2}$ SE $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24 - E $\frac{1}{2}$; NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; Portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25 - Portion of the N $\frac{1}{2}$ N $\frac{1}{2}$

T.17N., R.19E., M.D.B. & M.

Sections 1 thru 12, inclusive and 16, 17 and 18

Section 13 - N $\frac{1}{2}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; Portions of S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14 - NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; Portions of S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 - N $\frac{1}{2}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; Portions of SE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 19 - N $\frac{1}{2}$; SW $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; Portion of S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20 - N $\frac{1}{2}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; Portions of SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 21 - NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; Portions of S $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22 - Portions of NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24 - Portions of N $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 30 - Portions N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$

T.17N., R.20E., M.D.B. & M.

Sections 1 thru 18 inclusive, 23 and 24

Section 19 - $N\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; Portions of S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 20 - $N\frac{1}{2}$; $N\frac{1}{2}$ SE $\frac{1}{4}$; Portions of N $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 21 - $N\frac{1}{2}$; $N\frac{1}{2}$ SW $\frac{1}{4}$; $N\frac{1}{2}$ SE $\frac{1}{4}$; Portions of S $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 22 - E $\frac{1}{2}$; NW $\frac{1}{4}$; $N\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; Portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 25 - $N\frac{1}{2}$; Portions of N $\frac{1}{2}$ SW $\frac{1}{4}$; $N\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 26 - $N\frac{1}{2}$; $N\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; Portions of S $\frac{1}{2}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27 - NE $\frac{1}{4}$; $N\frac{1}{2}$ SE $\frac{1}{4}$; Portions of S $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 29 - Portion of NE $\frac{1}{4}$ NE $\frac{1}{4}$

T.18N., R.18E., M.D.B. & M.

All of Sections 13, 14, 24, 25 and 36

Section 15 - E $\frac{1}{2}$ NE $\frac{1}{4}$; Portions of W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$

Section 22 - E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; Portions of W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 23 - E $\frac{1}{2}$; NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; Portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 26 - E $\frac{1}{2}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; Portions of SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 35 - E $\frac{1}{2}$; E $\frac{1}{2}$ W $\frac{1}{2}$; Portions of the W $\frac{1}{2}$ W $\frac{1}{2}$

T.18N., R.19E., M.D.B. & M.

All of Sections 3, 4, 9, 10 and 14 thru 36, inclusive

Section 13 - S $\frac{1}{2}$; S $\frac{1}{2}$ N $\frac{1}{2}$

T.18N., R.20E., M.D.B. & M.

All of Section 3, 4, 9, 10, 11, 13, 14, 15, 16, 17 and 19 thru 35, inclusive

Section 2 - $W\frac{1}{2}$; $SE\frac{1}{4}$; $SW\frac{1}{4}$ $NE\frac{1}{4}$ and portions of the $E\frac{1}{2}$ $NE\frac{1}{4}$ and $NW\frac{1}{4}$ $NE\frac{1}{4}$

Section 5 - $E\frac{1}{2}$; $SW\frac{1}{4}$

Section 8 - $E\frac{1}{2}$; $N\frac{1}{2}$ $NW\frac{1}{4}$; $SE\frac{1}{4}$ $NW\frac{1}{4}$; $S\frac{1}{2}$ $SW\frac{1}{4}$; $NE\frac{1}{4}$ $SW\frac{1}{4}$; Portions of the $SW\frac{1}{4}$ $NW\frac{1}{4}$ and $NW\frac{1}{4}$ $SW\frac{1}{4}$

Section 12 - $SW\frac{1}{4}$; $S\frac{1}{2}$ $SE\frac{1}{4}$; $NE\frac{1}{4}$ $SE\frac{1}{4}$; $W\frac{1}{2}$ $NW\frac{1}{4}$; Portions of the $NW\frac{1}{4}$ $SE\frac{1}{4}$ and $E\frac{1}{2}$ $NW\frac{1}{4}$

Section 18 - $S\frac{1}{2}$; $S\frac{1}{2}$ $NE\frac{1}{4}$; $NE\frac{1}{4}$ $NE\frac{1}{4}$; Portions of the $S\frac{1}{2}$ $NW\frac{1}{4}$ and $NW\frac{1}{4}$ $NE\frac{1}{4}$

Section 36 - $W\frac{1}{2}$

T.18N., R.21E., M.D.B. & M.

Section 7 - $S\frac{1}{2}$ $SW\frac{1}{4}$; $NW\frac{1}{4}$ $SW\frac{1}{4}$; $SW\frac{1}{4}$ $SE\frac{1}{4}$; Portions of $NE\frac{1}{4}$ $SW\frac{1}{4}$; $SE\frac{1}{4}$ $SE\frac{1}{4}$, $NW\frac{1}{4}$ $SE\frac{1}{4}$, $NE\frac{1}{4}$ $SE\frac{1}{4}$ and $S\frac{1}{2}$ $NW\frac{1}{4}$

Section 18 - $W\frac{1}{2}$; $W\frac{1}{2}$ $NE\frac{1}{4}$; Portions of $E\frac{1}{2}$ $NE\frac{1}{4}$, $W\frac{1}{2}$ $SE\frac{1}{4}$

Section 19 - $W\frac{1}{2}$; Portions of $W\frac{1}{2}$ $NE\frac{1}{4}$ and $W\frac{1}{2}$ $SE\frac{1}{4}$

T.19N., R.20E., M.D.B. & M.

Section 34

Section 32 - $SE\frac{1}{4}$

Section 33 - $S\frac{1}{2}$

Section 35 - $W\frac{1}{2}$; $N\frac{1}{2}$ $NE\frac{1}{4}$; $SW\frac{1}{4}$ $NE\frac{1}{4}$; $NW\frac{1}{4}$ $SE\frac{1}{4}$ and Portions of $SW\frac{1}{4}$ $SE\frac{1}{4}$ and $E\frac{1}{2}$ $SE\frac{1}{4}$

EXHIBIT "B"

Existing Place of Use

Existing place of use A PORTION OF THE $SE\frac{1}{4}$ OF SECTION 28, A PORTION OF THE $NE\frac{1}{4}$, A PORTION OF THE $SE\frac{1}{4}$ $SW\frac{1}{4}$, A PORTION OF THE $W\frac{1}{2}$ $SE\frac{1}{4}$ OF SECTION 33, A PORTION OF THE $SW\frac{1}{4}$ $NW\frac{1}{4}$ OF SECTION 34 T18N, R20E, MDM. $NE\frac{1}{4}$ $NW\frac{1}{4}$, A PORTION OF THE $NW\frac{1}{4}$ $NE\frac{1}{4}$, A PORTION OF THE $NE\frac{1}{4}$ $NE\frac{1}{4}$ AND A PORTION OF THE $SW\frac{1}{4}$ $NE\frac{1}{4}$ OF SECTION 3 T17N, R20E, MDM.

BMC
6-28-04