

# TEMPORARY

No. 71301-T

TEMPORARY  
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 JUN 07 2004

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAY 1 1998 under 64073

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The applicant **Robert W. and Nanette Marshall** hereby make application for permission to change the **Point of diversion, place of use and manner of use** of water heretofore appropriated under **Permit 64073**

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1. The source of water is **Warm Springs Valley Creek and Tributaries**
2. The amount of water to be changed **4.612 cfs, not to exceed 638.4 acre feet annually**
3. The water to be used for **Irrigation, and domestic**
4. The water heretofore permitted for **Municipal and domestic**
5. The water is to be diverted at the following point (1) **NW¼ of NE¼ section 30, T24N, R20E, MDM Or at a point from which the E¼ corner of section 4, T23N, R20E, MDM bears S 44 degrees 50'58" E, a distance of 17,860.69 feet; POD #2) SE¼ of NE¼ section 30, T24N, R20E MDM or at a point from which the E¼ corner of section 4, T23N, R20E, MDM bears S 44 degrees 18 E, a distance of 15,635.0 feet.**
6. The existing permitted point of diversion is located within **POD #1) NW¼ of NE¼ section 30, T24N, R20E MDM, or at a point from which the E¼ corner of sec 4, T23N, R20E MDM bears S 44 degrees 24'43" E, a distance of 17,985.74 feet; POD#2) SE¼ of SE¼ section 19, T24N, R20E MDM or at a point from which the E¼ corner of section 4, T23N, R20E, MDM bears S 40 degrees 22'36" E, a distance of 17,462.12 feet.**
7. Proposed place of use **See exhibit B attached**
8. Existing place of use **See exhibit A 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 **Dams and ditches**
12. Estimated cost of works **In place**
13. Estimated time required to construct works **---**
14. Estimated time required to complete the application of water to beneficial use **None**
15. Remarks: **This temporary application is for irrigation in 2004**

By **Robert W. Marshall**  
s/**Robert W. Marshall**  
**2440 Holcomb Ranch Lane**  
**Reno, NV 89511**

Compared sg/sam ag/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 temporary permit to change the point of diversion, place of use and manner of use of the waters of Warm Springs Valley Creek and Tributaries, as heretofore appropriated under Proof V-02737 as appears in the District Court of the Second Judicial District of the State of Nevada, in and for the County of Washoe and as changed by Permit 64073, 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary 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 Temporary Permits 71295-T, 71296-T, 71297-T, 71298-T, 71299-T, 71300-T and 71301-T shall not exceed 2589.0 acre-feet annually.

This permit allows the temporary reinstatement of the 4.0 acre-feet per acre annual duty established under the decree. The duty established under 64073 is unaltered by this temporary authorization and remains as described in the terms and conditions set forth under Permit 64073 upon expiration of this permit.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **December 31, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **4.612** cubic feet per second, **but not to exceed 638.4 acre-feet annually, and not to exceed a yearly duty of 4.0 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:

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

Water must be placed to beneficial use on or before:

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

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

**TEMPORARY**

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **24th** day of **August**, A.D. **2004**

*Hugh Ricci, P.E.*  
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State Engineer

**EXPIRED**

**DATE DEC 31 2004**

## EXHIBIT "A"

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, all in T21N R19E MDM.

Section 36, T21N R18E MDM.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, all in T20N R19E MDM.

Sections 1 and 12 T20N R18E MDM.

## EXHIBIT "B"

Area No. 8 (Acres)	Subd.	Section	Township	Range
4.5	SW $\frac{1}{4}$ NW $\frac{1}{4}$	29	24N	20E
31.6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	29	24N	20E
1.6	NE $\frac{1}{4}$ SW $\frac{1}{4}$	29	24N	20E
13.6	SW $\frac{1}{4}$ SW $\frac{1}{4}$	29	24N	20E
13.8	SE $\frac{1}{4}$ SW $\frac{1}{4}$	29	24N	20E
1.9	SW $\frac{1}{4}$ SE $\frac{1}{4}$	29	24N	20E
3.6	NW $\frac{1}{4}$ NE $\frac{1}{4}$	30	24N	20E
1.6	SW $\frac{1}{4}$ NE $\frac{1}{4}$	30	24N	20E
25.4	SE $\frac{1}{4}$ NE $\frac{1}{4}$	30	24N	20E
14.5	NE $\frac{1}{4}$ SE $\frac{1}{4}$	30	24N	20E
1.2	SE $\frac{1}{4}$ SE $\frac{1}{4}$	30	24N	20E
2.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$	32	24N	20E
15.8	NW $\frac{1}{4}$ NE $\frac{1}{4}$	32	24N	20E
2.1	NE $\frac{1}{4}$ NE $\frac{1}{4}$	32	24N	20E
18.1	SE $\frac{1}{4}$ NE $\frac{1}{4}$	32	24N	20E
10.8	SW $\frac{1}{4}$ NW $\frac{1}{4}$	33	24N	20E
5.3	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33	24N	20E
2.1	NE $\frac{1}{4}$ SW $\frac{1}{4}$	33	24N	20E
8.0	SE $\frac{1}{4}$ SW $\frac{1}{4}$	33	24N	20E
3.0	SW $\frac{1}{4}$ SE $\frac{1}{4}$	33	24N	20E
4.1	NW $\frac{1}{4}$ NE $\frac{1}{4}$	4	23N	20E
<b>Total 184.6 Acres</b>				