NO. 71335

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 17 2004

Returned to applicant for correction

Corrected application filed

Map filed JUN 18 2004 under 71194

The applicant **Barker Coleman Development, LLC** hereby makes application for permission to change the **Point of Diversion of a portion** of water heretofore appropriated under **Permit No. 66959**

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1. The source of water is **Underground**

2. The amount of water to be changed **0.1733 cfs not to exceed 65.00 acre feet annually**

3. The water to be used for **Municipal**

4. The water heretofore permitted for **Municipal**

5. The water is to be diverted at the following point **Situate in the NE¼ SW¼ of Section 18, T.21N., R.19E., M.D.M., or at a point from which the southwest corner of said Section 18 bears South 49° 21' 31" West, a distance of 2018.40 feet field surveyed (Silver Knolls Well – the record tie described in Permit No. 24788 is South 49° 21' West, a distance of 2018.2 feet). Please refer to map filed with Application No. 71194 & 71195.**

6. The existing permitted point of diversion is located within **the SE¼ NW¼ of Section 19, T.21N., R.19E., M.D.B. &M., or at a point from which the West ¼ corner of said Section 19 bears South 52° 18' 00" West, a distance of 1894.00 feet.**

7. Proposed place of use **Please refer to Exhibit "A" attached.**

8. Existing place of use **Please refer to 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 **Water to be pumped from well, equipped with motor and Pump, and used as construction water**

12. Estimated cost of works **$500,000**

13. Estimated time required to construct works **One (1) year**

14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

15. Remarks: **Dual Applications are being filed changing the POD to portions of Permits 66958 and 66959 having a total combined duty of 65.00 acre feet.**

By s/ **Kenneth C. Briscoe**
Kenneth C. Briscoe, TMWA
TMWA, PO Box 30013
Reno, NV 89520-3013

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Compared **aem**/gkl lb/gkl

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 permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 66959 is issued subject to the terms and conditions imposed in said Permit 66959 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. 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 total combined duty of water under Permits 71334 and 71335 shall not exceed 65.00 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

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(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 **0.173** cubic feet per second, **but not to exceed 65.00 acre-feet annually.**

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

April 28, 2006

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

May 28, 2006

Water must be placed to beneficial use on or before:

April 28, 2015

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

May 28, 2015

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 **28th** day of **April**, A.D. **2005**

Hugh Ricci P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed **N/A**

Certificate No. _____ Issued _____

EXHIBIT "A"

T-N	R-E		DIVISION	SECTIONS
20	18	M.D.B.& M.	All	1, 2, 11 - 13
			Portions*	3, 10, 14, 15, 23 - 25
20	19	M.D.B.& M.	All	2 - 11, 16 - 19
			Portions*	1, 12 - 15, 20 - 22, 29, 30
21	18	M.D.B.& M.	All	1, 12, 13, 23 - 25, 36
			Portions*	2, 11, 14, 15, 22, 26, 27, 35
21	19	M.D.B.& M.	All	3 - 10, 13 - 35
			Portions*	2, 11, 12, 36
21	20	M.D.B.& M.	All	19, 30
			Portions*	17, 18, 20, 29, 31
22	18	M.D.B.& M.	All	23 - 25, 36
			Portions*	12 - 15, 22, 26, 27, 35
22	19	M.D.B.& M.	All	17, 19, 20, 29 - 33
			Portions*	7 - 9, 16, 18, 21, 27, 28, 34, 35

*Those portions within the Lemmon Valley Hydrographic Basin