No. 71866

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 NOV 10 2004

Returned to applicant for correction

Corrected application filed

Map filed DEC 17 2001 under 68328

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The applicant **Lisa A. Schirmeister and Joseph W. Johnson** hereby makes application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit 68721**

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

2. The amount of water to be changed **0.1308 cfs not to exceed 55.51 acre-feet**

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

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

5. The water is to be diverted at the following point **NE¼ NE¼, Section 26, T.11N., R.26E., M.D.B.&M., or at a point from which the NE Corner of said Section 26 bears N. 29°34'50"E., a distance of 1340.0 feet (Refer to map filed under Permit 68320)**

6. The existing permitted point of diversion is located within **SE¼ NE¼, Section 26, T.11N., R.26E., M.D.B.&M., or at a point from which the E¼ corner of said Section 26 bears S.84°38'22"E., a distance of 1100.00 feet. (Refer to map filed under Permit 68719)**

7. Proposed place of use **SW¼ NE¼, SE¼ NE¼, Section 26, T.11N., R.26E., M.D.B.&M.**

8. Existing place of use **Unchanged**

9. Use will be from **April 1** to **October 31** of each year.

10. Use was permitted from **April 1** to **October 31** of each year.

11. Description of proposed works **Drilled well, equipped with a motor, pump, meter and distribution system.**

12. Estimated cost of works **$50,000.00**

13. Estimated time required to construct works **Three (3) Years**

14. Estimated time required to complete the application of water to beneficial use **Five (5) Years**

15. Remarks: **This application is being filed to change the point of diversion of Permit 68721. Total combined duty of Applications to change Permits 68719 through 68722 will not exceed 216 acre-feet. Refer to map on file under Permit 68320 for proposed point of diversion and refer to map on file under Permit 68719 for existing point of diversion and existing and proposed places of use.**

By Gregory M. Bilyeu
s/ Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, NV 89521

Compared sc/ 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 the waters of an underground source as heretofore granted under Permit 68721 is issued subject to the terms and conditions imposed in said Permit 68721 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this 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 Permits 71865, 71866, 71867 and 71868 and any water of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 216.0 acre-feet per season for the irrigation of 54.0 acres within the described place of use. Each irrigation season, the permittee is responsible for insuring delivery of the entitled decreed or storage waters to which these permits are supplemental prior to diverting underground water under these permits. Underground water shall not be pumped from the well described in these permits except to the extent necessary to make up the portion of the entitled duty from Decree and storage water in any given year.

These permits for underground water are issued as a supplemental water supply to lands that have a surface water right from the East Walker River as set forth in Claim Numbers 17 and 133 of the Walker River Decree C-125, or from storage water provided from the Walker River Irrigation District. The total diversion of water for irrigation from any and all sources shall not exceed the duty of water for this place of use as set forth in the Decree.

The water diverted from the well for the place of use described under these permits shall be metered separately and distinctly from any water diverted for any other place of use.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.1308** cubic feet per second, or **55.51 acre-feet per season.**

Work must be prosecuted with reasonable diligence and be completed on or before:
February 2, 2007

Proof of completion of work shall be filed on or before:
March 2, 2007

Water must be placed to beneficial use on or before:
February 2, 2009

Proof of the application of water to beneficial use shall be filed on or before:
March 2, 2009

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 **2nd** day of **February** A.D. **2006**

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____