

**NO. 71961**

**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 DEC 01 2004

Returned to applicant for correction JAN 21 2005

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

Map filed MAR 18 2005

The applicant **Bartley O'Toole and Lilly E. O'Toole**, hereby make application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit Number 61094**

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1. The source of water is **Underground**
2. The amount of water to be changed **15 cfs**
3. The water to be used for **Irrigation (unchanged)**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **in the SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> of Section 27, T13N, R40E, MDM, from which point the SW corner of said section 27 bears S 88° 13' W, 3406 ft.**
6. The existing permitted point of diversion is located within **the NW<sup>1</sup>/<sub>4</sub> of the SW<sup>1</sup>/<sub>4</sub> of Section 27, T13N, R40E, MDM, from which point the SW corner of said Section 27 bears s 17° 11' W, 1458 ft.**
7. Proposed place of use **Unchanged**
8. Existing place of use **SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub> NE<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub> SE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, and SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 27, and SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 22, and SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 26 all of T13N, R40E, MDM**
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 **18" well, pump, motor and meter. Pipe and/or ditches to an existing Reese River Diversion Dam.**
12. Estimated cost of works **\$80,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **4 years**
15. Remarks:

By **Marvin Hamrick**  
s/ **Marvin Hamrick**  
**130 Vine St.**  
**Reno, NV 89503**

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Compared aem/sam lt/ 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 61094 is issued subject to the terms and conditions imposed in said Permit 61094 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.

A portion of this permit is issued as a supplemental right to Proofs of Appropriation (Claims of Vested Right) V02701 and V02702 in the amount of 1,622.08 acre-feet for the irrigation of 405.52 acres.

The issuance of this permit does not infer any validity or otherwise prejudice to Proofs of Appropriation V02701 and V02702 of which the limit and extent must be determined under the provisions of NRS 533.090 and 533.320.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, but not to exceed a yearly duty of 2320.0 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:

April 7, 2007

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

May 7, 2007

Water must be placed to beneficial use on or before:

April 7, 2009

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

May 7, 2009

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

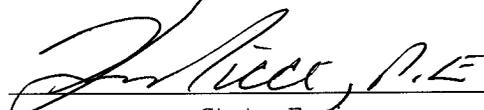
May 7, 2009

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 7th day of April, A.D. 2006

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_