



THE STATE OF NEVADA
PERMIT TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Name of applicant: CONDIE LIVING TRUST, BRUCE A. CONDIE, TRUSTEE (50%)
& JOHN T. AND MARA L CONDIE (50%)
Source: MILLER CREEK
Basin: HAMLIN VALLEY
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 06/02/1997

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 and place of use of the waters of Miller Creek as heretofore granted under Permit 63156 is issued subject to the terms and conditions imposed in said Permit 63156 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

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 63157 and 73344 shall not exceed 55.5 acre-feet annually for the irrigation of 18.5 acres.

This permit is subject to the condition that the permittee must ensure that wildlife which has customarily used such water will have access thereto, NRS 533.367.

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

This permit is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined rate of diversion for Permits 63157 and 73344 shall not exceed either 1.0 cubic-foot per second nor reduce the required flow needed to satisfy the existing rights on Miller Creek, aka Millard Creek.

The point of diversion and place of use is as described under items 5 & 7 respectively on the submitted application to support this permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.50 cubic feet per second, but not to exceed 55.50 acre-feet annually, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

May 31, 2008

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

May 31, 2010

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 31st day of May, A.D. 2007

Signature of Tracy Taylor, P.E., State Engineer

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

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 OCT 17 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 26 2005

The applicant **Condie Living Trust, Bruce A. Condi, Trustee (50%) and John T. and Mara L. Condie (50%)** hereby make application for permission to change the **Point of diversion and place of use**, of water heretofore appropriated under **Permit 63156**

1. The source of water is **Miller Creek**
2. The amount of water to be changed **0.50 second feet**
3. The water to be used for **irrigation and domestic**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T.6N, R69E M.D.M. at a point from which the southwest corner of said Section 25 bears S 20° 10'49"W 866.73 ft.**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T6N, R69E, M.D.M. or at a point from which the southwest corner of said Section 25 bears S31°32'41" W 1077.58 ft.**
7. Proposed place of use **portions of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sections 25, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26, all in T6N R69E M.D.M.**
8. Existing place of use **SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T.6N., R.69E., M.D.B.&M.**
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 **diverting the stream, work already performed.**
12. Estimated cost of works **work accomplished.**
13. Estimated time required to construct works **existing.**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **Original plan to develop this water source became infeasible after work began. Therefore, the point of diversion is changed as on the accompanying map for Proof of Beneficial use for permit 63157.**

By **Bruce A. Condie
s/ Bruce A. Condie
HC 74 Box 202
Pioche, Nv 89043**

Compared sg/ gkl

Protested _____