No. 73788

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 **FEB 01 2006**

Returned to applicant for correction

Corrected application filed

Map filed **FEB 01 2006 under 73787**

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The applicant **Juan Albiter-Martinez and Ellen Albiter-Martinez** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Permit 30795 Certificate 12760**

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

2. The amount of water to be changed **0.0075 cfs NTE 1.74 AFA**

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

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

5. The water is to be diverted at the following point **SE¼ NE¼ Section 27, T. 17 N., R. 22 E., M.D.B.& M., or at a point from which the NE corner of said Section 27 bears N. 4° 48' 28" E., a distance of 2589.00 feet.**

6. The existing permitted point of diversion is located within **NE¼ SE¼ Section 27, T. 17 N., R. 22 E., M.D.B.& M., or at a point from which the NE corner of said Section 27 bears N. 6° 53' 15" E., a distance of 2820.64 feet.**

7. Proposed place of use **Portion of the SE¼ NE¼ and NE¼ SE¼, Section 27, T. 17 N., R. 22 E., M.D.B.& M. – Lot 135 (APN 19-232-12).**

8. Existing place of use **0.87 acres in the NE¼ SE¼ and SE¼ NE¼, Section 27, T. 17 N., R. 22 E., M.D.B. & M. (0.435 acres to be removed from irrigation under 30795, c. 12760)**

9. Use will be from **January 1st** to **December 31st** of each year.

10. Use was permitted from **January 1st** to **December 31st** of each year.

11. Description of proposed works **Drilled and cased well, pump motor and distribution system.**

12. Estimated cost of works **$10,000.00±**

13. Estimated time required to construct works **Existing**

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

15. Remarks: **For existing Point of Diversion and Place of Use, please refer to map filed in support of Application 30793. Permit 30794 will be withdrawn upon approval of this application. The purpose of this application is to move half (½) of base right Permit 30795, Certificate 12760 into the well serving Lot 135 only.**

WESTERN ENGINEERING & SURVEYING SERVICES
By **ROBERT H. CANTLEY**
s/ Robert H Cantley
3032 Silver Sage Drive
Carson City, NV. 89701

Compared sg/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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 30795, Certificate 12760, is issued subject to the terms and conditions imposed in said Permit 30795, Certificate 12760, 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 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 73787 and 73788 shall not exceed 5.6 acre-feet annually for the irrigation of the same 1.4 acres within Lot 135, being further described as APN 19-232-12, Lyon County, Nevada.

The issuance of Permits 73787 and 73788 reduces the total combined duty of Permit 30793, Certificate 12759; Permit 30794, Certificate 14310; and Permit 30795, Certificate 12760; to 5.6 acre-feet annually for the irrigation of 1.4 acres within Lot 136 only, being further described as APN 19-232-11, Lyon County, Nevada.

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(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.0075** cubic feet per second, **1.74 acre-feet annually and not to exceed an annual 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:

September 11, 2007

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

October 11, 2007

Water must be placed to beneficial use on or before:

September 11, 2010

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

October 11, 2010

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

October 11, 2010

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **11th** day of **September**, A.D. **2006**

Tracy Tarlor, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____