

**SECOND AMENDED** **No. 73789**  
**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 02 2006

Returned to applicant for correction FEB 16 2006

Corrected application filed APR 21 2006

Map filed APR 21 2006

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The applicant **Daniel and Janice Dunning** hereby make(s) application for permission to change the **Point of diversion Place of use of a portion** of water heretofore appropriated under **Proof 01076**

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1. The source of water is **Meadow Valley Wash**
2. The amount of water to be changed **79 Acre-Ft., 0.396 CFS**
3. The water to be used for **Irrigation, Stock water & Domestic, 5 Horses**
4. The water heretofore permitted for **Irrigation, Stock water & Domestic**
5. The water is to be diverted at the following point **A diversion dam at a point located within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 35, T4S, R66E, M.D.B.&M. or at a point from which the N $\frac{1}{4}$  corner of said Section 35 bears N21°09'W a distance of 2076 feet in Lincoln County, Nevada**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, T4S, R66E, M.D.B.&M. or at a point from which the C $\frac{1}{4}$  corner of said Section 25 bears N84°27'W, a distance of 688 feet in Lincoln County, Nevada**
7. Proposed place of use **A portion of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  and the SE $\frac{1}{4}$  NE $\frac{1}{4}$  and the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 35, T4S, R66E, M.D.B.&M., Lincoln County, Nevada, 116 acres**
8. Existing place of use **A portion of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  (1.0 acre) & a portion of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  (7.3 acres) & a portion of the SW $\frac{1}{4}$  NE $\frac{1}{4}$  (2.0 acres) & a portion of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  (5.5 acres) of Section 35, T4S, R66E, M.D.B.&M., Lincoln County, Nevada**
9. Use will be from **Jan. 1 to Dec. 31** of each year.
10. Use was permitted from **Jan. 1 to Dec. 31** of each year.
11. Description of proposed works **Diversion Dam in Stream**
12. Estimated cost of works **\$85000<sup>00</sup>**
13. Estimated time required to construct works **5 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks:

By **Phillip Regeski P.E.**  
s/ **Phillip Regeski**  
**10225 Schuster St.**  
**Las Vegas, NV 89141**

Compared mt/bk \_\_\_\_\_ lt/ gki \_\_\_\_\_

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 Meadow Valley Wash as heretofore appropriated under Proof V01076 as appears in the Meadow Valley Wash and Tributaries Decree in the District Court of the Seventh Judicial District of the State of Nevada, in and for the County of Lincoln is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

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.

This permit is issued for the irrigation of 15.8 acres within the described place of use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.3955 cubic feet per second, **but not to exceed 79.0 acre-feet annually and not to exceed a yearly duty of 5.0 acre-feet per acre from any and/or all sources.**

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

October 10, 2007

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

November 10, 2007

Water must be placed to beneficial use on or before:

October 10, 2010

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

November 10, 2010

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

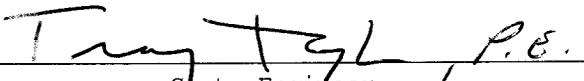
November 10, 2010

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 10th day of October, A.D. 2006

  
State Engineer

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

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

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

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