AMENDED NO.61771 ASSIGNED

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 29 1995

Returned to applicant for correction JAN 30 1996

Corrected application filed

Map filed FEB 23 1996 UNDER 61770

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The applicant **Robert H. And Arlene M. Brown**, hereby makes application for permission to change the **Point of Diversion and Place of Use of a Portion** of water heretofore appropriated under **Certificate 13059 (Permit 52030)**

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

2. The amount of water to be changed **1.126 CFS (212.74 acres)**

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

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

5. The water is to be diverted at the following point **within the SW1/4SE1/4 of Section 25, T.12N., R.19E., M.D.M., or at a point from which the southeast corner of said Section 25 bears South 86°38'22" East, 1,856 feet.**

6. The existing permitted point of diversion is located within **the SW1/4NW1/4 of Section 31, T.12N., R.20E., M.D.M., or at a point from which the Northwest corner of said Section 31 bears North 23°40'36" West, a distance of 2,847 feet.**

7. Proposed place of use **is 212.74 acres within NE1/4SW1/4 (19.01 acres), SE1/4SW1/4 (10.19 acres), NW1/4SE1/4 (34.96 acres), SW1/4SE1/4 (36.31 acres), NE1/4SE1/4 (40.21 acres), SE1/4SE1/4 (39.36 acres) all within Section 25, T.12N., R.19E. and SW1/4SW1/4 (32.7 acres) of Section 30, T.12N., R.20E., M.D.M.**

8. Existing place of use **is within NE1/4SW1/4 (19.01 acres), SE1/4SW1/4 (10.19 acres), NW1/4SE1/4 (34.96 acres), SW1/4SE1/4 (36.31 acres), NE1/4SE1/4 (40.21 acres), SE1/4SE1/4 (39.36 acres), all within Section 25, T.12N., R.19E., and SW1/4SW1/4 (32.7 acres), of Section 30, T.12N., R.20E., M.D.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 **Drilled Well**

12. Estimated cost of works **Undetermined**

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: **The purpose of this Application is to change the Point of Diversion of the Applicant's Portion of the subject permit to property owned & controlled by the Applicant. All water under this application will continue to be supplemental to waters of the Carson River. Water from applications 61770 & 61771 shall be commingled to irrigate the proposed Place of Use.**

By **s/Robert O. Anderson**
P.O. Box 2294
Minden, Nevada 89423

Compared jp/ gkl hs/cmf

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 52030, Certificate 13059 is issued subject to the terms and conditions imposed in said Permit 52030, Certificate 13059 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.

Permits 61770 and 61771 are limited to the irrigation of 212.74 acres within the described place of use.

Permits 61770 and 61771 are fully supplemental to Carson River Decree Claim 540a and Proof of Appropriation V02858 (Luther Creek).

The place of use of this permit is reduced as stated in a letter dated February 10, 2000 from Robert O. Anderson.

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

(CONTINUED ON PAGE 3)

 61771

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.126** cubic feet per second, **but not to exceed 814.81 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:

June 8, 2002

Proof of completion of work shall be filed before:

July 8, 2002

Water must be placed to beneficial use on or before:

June 8, 2005

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

July 8, 2005

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

July 8, 2005

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **8th** day of, **June** A.D. **2000**

R. Michael Turnipseed P.E.

State Engineer

Completion of work filed AUG 06 2003

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____