

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 MAY 03 1988

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed MAY 03 1988 under 52063

The applicant Herbert P. Witt

Milky Way Farm, Rt. 3 Box 935 of Minden  
Street and No. or P.O. Box No. City or Town

Nevada 89423 hereby make application for permission to change the  
State and Zip Code No.

Point of Diversion and place of use  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 28277, Certificate No. 9170  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.0891 cfs, but not to exceed 6.57 mga  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for commercial and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for commercial and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the NW 1/4 SW 1/4, Section 8 T.13N., R.20E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
MDB&M, or at a point from which the SW corner of said Section 8 bears S 17° 42'  
distance to a section corner. If on unsurveyed land, it should be stated.  
32" W, a distance of 2745 feet.

6. The existing permitted point of diversion is located within the NE 1/4 SW 1/4 of Section 8, T.13N.,  
If point of diversion is not changed, do not answer.  
R.20E., MDB&M or at a point from which the NE corner of Section 32, T.14N.,  
R.20E, MDB&M bears N.12° 04' E., a distance of 13,612 feet.

7. Proposed place of use S 1/2 NW 1/4 and the N 1/2 SW 1/4, Section 8, T.13N., R.20E., MDB&M  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use SE 1/4 NW 1/4 and the NE 1/4 SW 1/4, Section 8, T.13N., R.20E., MDB&M  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of Irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1st to December 31st of each year.  
Month and Day Month and Day

10. Use was permitted from January 1st to December 31st of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump, hydropneumatic tank  
State manner in which water is to be diverted, i.e. diversion structure, ditches, and piping.  
and piping.  
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$50,00

13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use..... 3 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

A portion of the water is pumped through a distribution system within the yard to supply water for cooling milk and wash down water in the dairy operation located in portions of the SE 1/4 NW 1/4 and NE 1/4 SW 1/4 of Section 8, T.13N., R.20.E., MDB&M

By /s/ Thomas A. Foote 160 Hubbard Way Reno, NV 89502

Compared kr/jjk bp/vw

Protested

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 an underground source as heretofore granted under Permit 28277, Certificate 9170 is issued subject to the terms and conditions imposed in said Permit 28277, Certificate 9170 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.

No perforations shall be put in the production casing 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.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0891 cubic feet per second, but not to exceed 6.57 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 9, 1992

Proof of completion of work shall be filed before April 9, 1992

Application of water to beneficial use shall be made on or before March 9, 1995

Proof of the application of water to beneficial use shall be filed on or before April 9, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed my office, this 9th day of March

Certificate No. Issued A.D. 19 90

Signature of R. Michael Turnipseed, State Engineer

2407 (Rev. 6-81)

CANCELLED JUL 14 1992 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Signature of R. Michael Turnipseed, P.E., STATE ENGINEER