

**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**

NEW PRIORITY DATE:

Date of filing in State Engineer's Office -AUG 17 1992 JAN 17 2007

Returned to applicant for correction.....

Corrected application filed.....Map filed AUG 17 1992

The applicant Garrett Van Diest, Inc.

P. O. Box 867 of Winnemucca,  
Street and No. or P.O. Box No. City or Town

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

Manner and Place of Use of a portion of  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 45775  
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 127.68 Acre Feet or 0.5063 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for Irrigation 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 in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 7, T.34N. R.38E.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
M.D.B.&M., or at a point from which the SE corner of said Section 7 bears S.  
distance to a section corner. If on unsurveyed land, it should be stated.  
61° 14' 12" E. 2266.62 feet.

6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 7, T.34N., R.38E.,  
If point of diversion is not changed, do not answer.  
M.D.B.&M., or at a point from which the SE corner of said Section 7 bears S.  
61° 14' 12" E. 2266.62 feet.

7. Proposed place of use Portion of S $\frac{1}{2}$  of section 12, T.34N., R.37E., M.D.B.&M.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use SE $\frac{1}{4}$  SW $\frac{1}{4}$  and Lot 3 and Lot 4, Section 7, T.34N., R.38E.; Portions  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
of SE $\frac{1}{4}$  and of E $\frac{1}{2}$  SW $\frac{1}{4}$  Section 12, T.34N., R.37E., M.D.B.&M. To be transferred  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
is portion of SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 7, T.34N., R.38E., M.D.B.&M.

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

10. Use was permitted from January 1 to December 31 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.) Construct water tank, pipe line mains,  
State manner in which water is to be diverted, i.e. diversion structure,  
service lines to individual lots.  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$100,000.

13. Estimated time required to construct works 4 years

14. Estimated time required to complete the application of water to beneficial use... 6 years

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

By: Ernest E. Muller, Sr.
Ernest E. Muller, Sr.
750 W. Pueblo St.
Reno, NV., 89509

Compared: bc/bc pm/se

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 place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 45775 is issued subject to the terms and conditions imposed in said Permit 45775 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The total combined duty of Permits 57333, 57966 and 57998 shall not exceed 181.12 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.4473 cubic feet per second, but not to exceed 112.8 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 3, 1994

Proof of completion of work shall be filed before October 3, 1994

Application of water to beneficial use shall be made on or before September 3, 1998

Proof of the application of water to beneficial use shall be filed on or before October 3, 1998

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

Completion of work filed DEC 7 1994

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

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 3rd day of September

A.D. 19 93

Signature of R. Michael Turnipseed, State Engineer

CANCELLED JAN 09 2007 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Signature of Turnipseed, P.E. STATE ENGINEER Can. Rescinded 4/18/07