

**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 17 1993

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

Corrected application filed \_\_\_\_\_ Map filed DEC 06 1993 under 59200

The applicant James R. Buell, VMD  
 P.O. Box 6525 of Incline Village  
Street and No. or P.O. Box No. City or Town

Nevada 89450 hereby make<sup>s</sup> application for permission to change the  
State and Zip Code No.

point of diversion and place of use & manner of use  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 21338 Certificate No. 7417  
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 2.5 c.f.s.  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for irrigation purposes  
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 $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 14,  
Describe as being within a 40-acre subdivision of public survey and by course and  
T.45N., R.33E., M.D.B. & M., or at a point from which the SW corner  
distance to a section corner. If on unsurveyed land, it should be stated.  
of said Section 14 bears S 58°10'00" W a distance of 3642.00 feet.

6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, T.45N.,  
If point of diversion is not changed, do not answer.  
R.33E., M.D.B. & M., or at a point from which the W $\frac{1}{4}$  corner of said  
Section 14 bears N 37°36'52" W a distance of 439.70 feet.

7. Proposed place of use See Exhibit "A" attached.  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 33.1 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T.45N., R.33E.,  
M.D.B. & M., 41.5 Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 14, T.45N., R.33E., M.D.B. & M., 31.7  
manner of use of irrigation permit, describe acreage to be removed from irrigation. acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14,  
T.45N., R.33E., M.D.B. & M., 41.0 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14,  
T.45N., R.33E., M.D.B. & M. 147.3 acres total

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

10. Use was permitted from April 1st to October 1st 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.) Drill well; install pump, motor, and  
State manner in which water is to be diverted, i.e. diversion structure.  
irrigation system  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works in excess of \$50,000

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

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

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Desert-Mountain Surveying as agent  
By John H. Milton III, P.L.S., S.W.R.S.  
s/ John H. Milton III  
146 West Second Street  
Winnemucca, NV 89445

Compared gkl/ JV jr/bk

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, manner and place of use of the waters of an underground source as heretofore granted under Permit 21338, Certificate 7417 is issued subject to the terms and conditions imposed in said Permit 21338, Certificate 7417 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 59200, 59201, 59616, 59617, 59618, 59619, 59620, 59621, 59622, 59623 and 59624 shall not exceed 3958.37 acre-feet annually for the irrigation of 1007.2 acres.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.5 cubic feet per second, but not to exceed 589.20 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 August 3, 1996

Proof of completion of work shall be filed before September 3, 1996

Application of water to beneficial use shall be made on or before August 3, 1999

Proof of the application of water to beneficial use shall be filed on or before September 3, 1999

Map in support of proof of beneficial use shall be filed on or before September 3, 1999

Completion of work filed AUG 29 1995

Proof of beneficial use filed .....

Cultural map filed .....

Certificate No. .... Issued .....

Abrogated By 65607 2.50

IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 3rd day of August

A.D. 19 95

R. Michael Turnipseed P.E.  
State Engineer

Exhibit "A"  
Application to Change Permit 21338

Item 7. - Proposed Place of Use

A portion of the W $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 2, and a portion of the W $\frac{1}{2}$  of Section 11; the W $\frac{1}{2}$ , S $\frac{1}{2}$  NE $\frac{1}{4}$ , and the SE $\frac{1}{4}$  of Section 14; and the N $\frac{1}{2}$  NW $\frac{1}{4}$  and the N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 23, all within T.45N., R.33E., M.D.B. & M. - 1018.00 acres.

