

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 SEP 26 1994

Returned to applicant for correction DEC 09 1994

Corrected application filed JAN 10 1995 Map filed JAN 10 1995

The applicant John K. Ostermiller

HCR 65 Box 73345 of Pahrump

Nevada 89041 hereby make application for permission to change the

Point of Diversion and Place of Use of a portion

of water heretofore appropriated under Permit #17776 Certificate #8372

Identify existing right by Permit, Certificate, Proof or Claim Nos. If E -creed, give title of Decree and identify right in Decree.

1. The source of water is underground source

2. The amount of water to be changed 0.006 C.F.S. but not to exceed 2 acre feet

3. The water to be used for Irrigation and Domestic

4. The water heretofore permitted for Irrigation and Domestic

5. The water is to be diverted at the following point within the SE4 SE4 Sec. 5, T 21 S

R 54 E M.D.B. & M. or at a point from which the SE corner of said Sec.

5 bears S 74 12'00" E a distance of 888.70 feet

6. The existing permitted point of diversion is located within the NE4 SW4 Sec. 33, T 19 S, R 53 E

M.D.B. & M. or at a point from which the W4 corner of said Sec. 33

bears N 87 15' 00" W a distance of 2545.00 feet within the SE4 SE4 Sec. 5, T 21 S, R 54 E M.D.B. & M.

7. Proposed place of use 2.5 acres to be irrigated (trees)

8. Existing place of use NW4 SW4 and NE4 SW4 Sec. 33, T 19 S, R 53 E M.D.B. & M.

79 acres irrigated, 2 acre feet to be removed, a strip 39.77 feet wide

by 1320 feet long.

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. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) 8" well with pressure tank with plastic

service lines

12. Estimated cost of works \$30,000.00

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use..... 4 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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By..... s/Richard L. Hafen Agent
Richard L. Hafen, Agent
2383 Gateway Road
Las Vegas, Nevada 89115

Compared..... pm/jk c1/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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 17776 Certificate 8372 is issued subject to the terms and conditions imposed in said Permit 17776 Certificate 8372 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.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.006cubic feet per second, but not to exceed 2.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... March 18, 1998

Proof of completion of work shall be filed before..... April 18, 1998

Application of water to beneficial use shall be made on or before..... March 18, 2001

Proof of the application of water to beneficial use shall be filed on or before..... April 18, 2001

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

Completion of work filed..... MAR 05 1998

Proof of beneficial use filed..... APR 26 2002

Cultural map filed.....

Certificate No. 16164 Issued APR 23 2003

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 18th day of March

A.D. 19 97
[Signature]
State Engineer